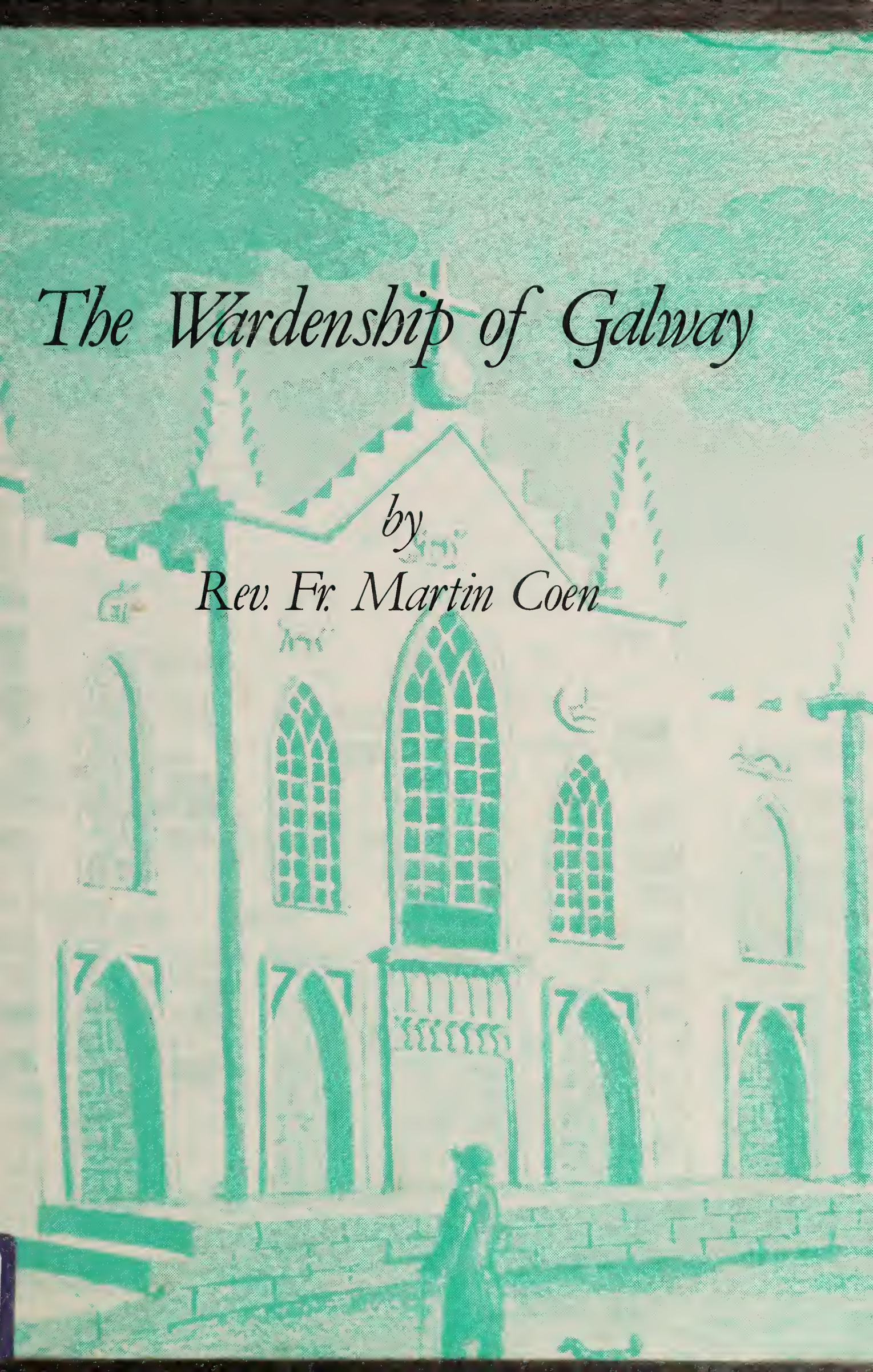
The Wardenship of Galway

by

Rev. Fr. Martin Coen



This is the story of a settled community's struggle to preserve their identity. In 1484, the Archbishop of Tuam Granted the town of Galway a rare ecclesiastical independence, a Wardenship.

This book describes the Wardenship, it's institution, the way it fared during the upheavals of the Reformation and the Penal Days and how, finally, it came to be seen as the sole means of preserving the power and privilege of the Tribes of Galway.

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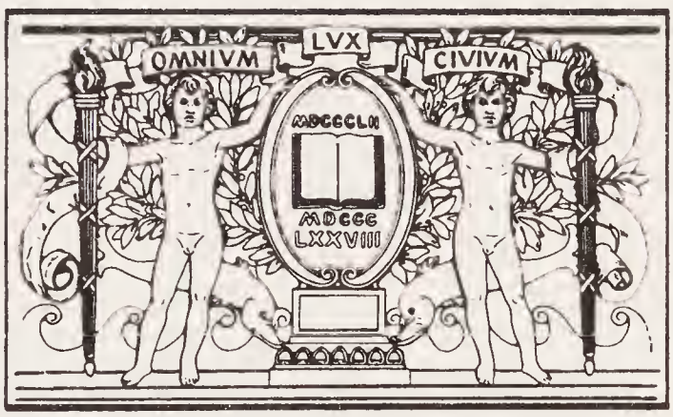

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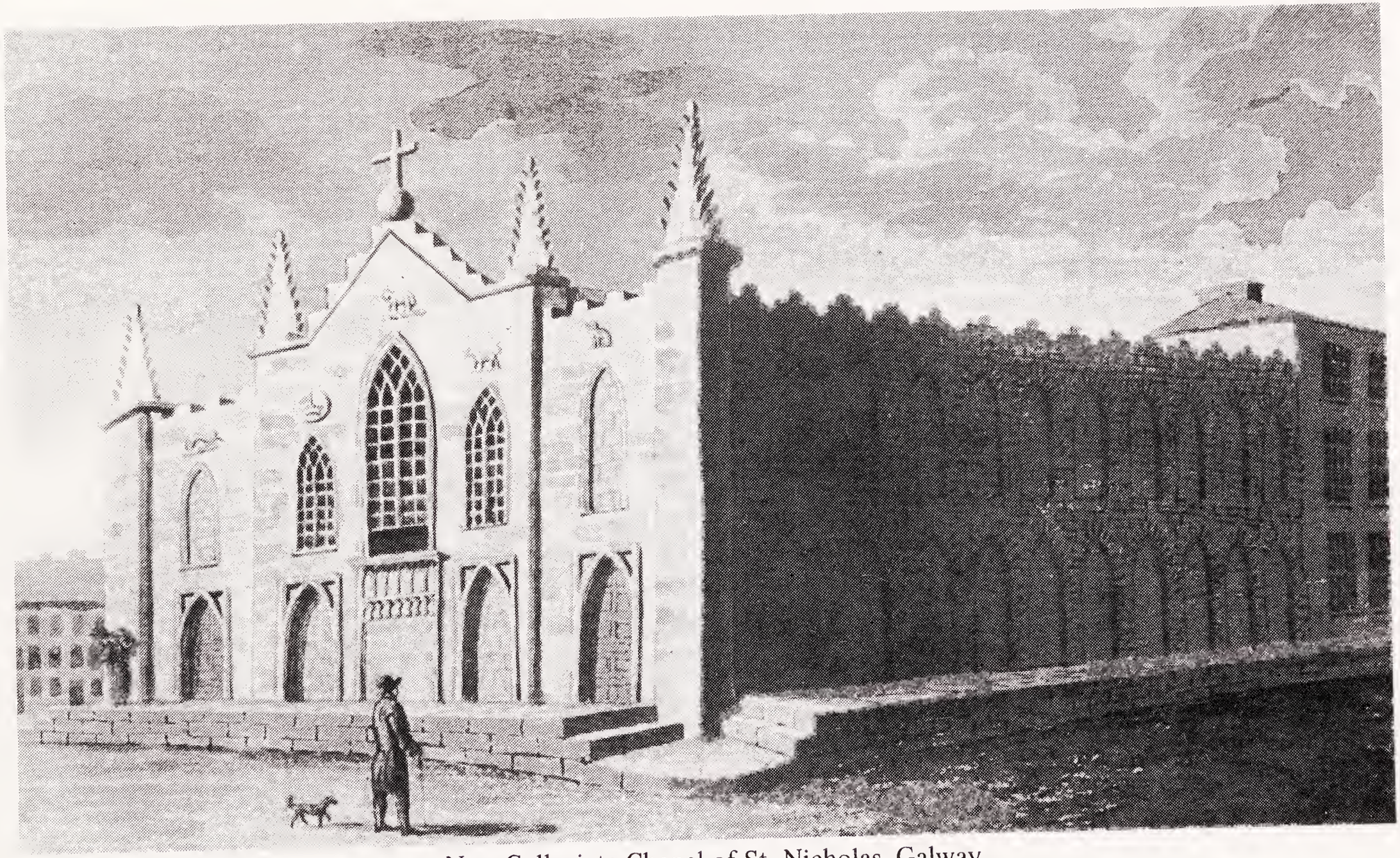

New Collegiate Chapel of St. Nicholas, Galway

The Wardenship of Galway

by

Rev. Fr. Martin Coen

FOREWORD BY

EAMON CASEY, BISHOP OF GALWAY

1984

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TO MY MOTHER AND FATHER

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FOREWORD

This Quincentennial Year of 1984 commemorates the granting of the Royal Charter to Galway. Naturally its focus is the civic life of our city and so it may come as a surprise to many to learn that this year of 1984 is also a Quincentennial Year in the life of the Catholic Church of the city. For the year 1484 saw the granting of an exceptional ecclesiastical structure to the Catholics of our city – the Wardenship.

Thanks to the research of Fr. Martin Coen, this aspect of our local history–a period of time in which the Catholic Church in Galway enjoyed a limited form of 'democracy' in its hierarchical structure–is here put before us in a scholarly fashion. Not only had he as sources for his study the rich Wardenship records preserved in the Galway Diocesan archives but he also draws from material in other archives and libraries in Dublin, London and Rome.

Archives tend to be unbalanced. The disputes, the lawsuit papers, the controversies and the scandals are carefully preserved, while virtue, heroism and goodness too often go unrecorded. Some of the history of the Wardenship does not edify and the scramble of the clergy and of the tribal families to retain their privileges borders on the scandalous. Nevertheless there comes through it all evidence of a strong Catholic life in the city; many vocations from the Tribal families; generous support of the clergy and a generosity too in providing for the material fabric of churches.

While I am delighted to welcome this publication of Fr. Coen's research and to commend it to the people of Galway, you will appreciate why I cannot recommend the Wardenship as a model for any future restructuring of ecclesiastical jurisdiction!

+ EAMONN CASEY,
Bishop of Galway.

13th August, 1984.

PREFACE

The story of the Wardenship of Galway is the story of the church in Galway from 1484 to 1831. The archbishop of Tuam and later the pope granted an unusual measure of religious independence to the people of Galway. Henceforth there would be, instead of a bishop, a warden, a priest with quasi episcopal jurisdiction. He would have the care of the city priests and people with very much reduced authority left to the archbishop of Tuam. Most unusual, the warden and vicars (parish priests) were to be chosen at first annually and later triennially by the Mayor and members of the corporation of Galway. This attempt at a measure of church democracy had some good features but it also encouraged some of the less desirable practices of the democratic system.

The *official* wardenship of Galway was the Protestant one but it represented only a minority of the citizens and had little impact on the history of the town. So it is fair to say that *the* wardenship was the Catholic one. It remains to some future historian to write about the Protestant wardenship.

I am indebted to Bishop Michael Browne for continued interest and generous access to the diocesan archives. The late Professor James Mitchell, register U.C.G. was most helpful in all dealings with the N.U.I. It was the Rev. Dr. James Mitchell U.C.G. who first suggested this study and who followed the course of the work with helpful interest. The late Professor G. A. Hayes-McCoy U.C.G. was a most courteous and scholarly adviser.

Were it not for the enthusiastic encouragement and support of Bishop Eamonn Casey, it is doubtful if this book would ever see the light.

My thanks are due to the publishers Messrs. Kenny, High Street, Galway and in particular to Desmond G. Kenny for his co-operation and care.

Finally I am grateful to the *Maynooth Scholastic Trust* for a generous grant.

CHAPTER ONE

THE WARDENSHIP OF GALWAY

In the chequered history of religion in Ireland, the basic administrative unit for the last nine hundred years has been, except in Galway, the diocese. Due to the Norman invasion and later the Reformation, church and state, unlike most of Europe, were separate. Galway town and the surrounding area differed greatly from the rest of the country in the evolution of her church government. In the beginning church and state in Galway were very close but with the passage of time, especially after the Reformation, the Catholic laity had much power over the Church.

This was a form of lay control without parallel in the history of Ireland. From 1484, the ecclesiastical unit of administration was not the usual diocese, but was called the Wardenship of Galway. Its ecclesiastical ruler was not a bishop but a priest called a warden who had exceptional powers. Not until 1831 did the area adopt normal church government when the Diocese of Galway was established. What commenced as a very close link between the Church and the City-state of Galway evolved into a position of considerable lay power over the Church. Such far-reaching lay influence was quite unusual in the post-Tridentine Church and almost unique in Ireland. This development can be understood only in the context of the history of the town of Galway itself.

In pre-Norman days the settlement of Galway was unimportant. Very little is known about it before the twelfth century when its existence is recorded for the first time as a military centre of some significance. The town seems to have been founded by Norman settlers; it developed, through commerce, into a prosperous Anglo-Norman community. It had many connections with the surrounding Irish but at the same time endeavoured to remain proudly distinct. Galway, apparently, began its existence as a borough with a charter from Walter de Burgh, Earl of Ulster, who died in 1271. This gave the town certain rights of self

government. The progress of the status of the town as a borough is obscure. However it is certain that the first royal charter was granted on 26th January, 1396 by Roger Mortimer, Earl of March and Ulster. This charter from the King and from Mortimer allowed the leader and the burgesses to elect a "sovereign" annually. The higher title of "mayor" was conferred on the chief officer of the borough by the charter of 15th December, 1484, issued in the name of Richard III. It seems to have been more than confirmatory of the existing position and to have marked an important stage in the evolution of the borough. The records transcribed in Book A of the corporation begin with the first mayor in 1484; presumably the corporation was then remodelled.

However difficult it may be to trace this evolution accurately, there can be no doubt that the new local government arrangements reflected the town's growing commercial and political importance. It also reflected the independence of spirit and the refusal of the inhabitants to be subject to external political rulers or to assimilate with the local Irish. The 1484 charter was a land-mark in the history of the town, for, politically, it completed the edifice of the city-state and, henceforth, not alone the native Irish but also the de-Burgos were excluded from municipal power. Even the representative of the King himself could enter only with the consent of the municipal authorities.

The pre-Norman religious history of the area is also obscure owing to the lack of ecclesiastical records. Galway and the surrounding area were part of the diocese of Annaghdown even before the Synod of Kells, 1152. It was often the medieval practice to link a town with a monastery, so as to provide the monastery with an income. The abbey got money from the town and at the same time provided pastoral care for the people. As the stipendary priest cost much less than the money collected, the monks used the excess to maintain their monastery.

The town of Galway was thus linked with the monastery of Abbeyknockmoy about 1200. This abbey had been founded in 1190 by Cathal O'Connor, king of Connacht. This financial and pastoral arrangement was not always pleasing to the citizens of Galway so that there were periodic disputes. They were dissatisfied with the pastoral service provided by the monks. These monks for their part were often supported in these disputes by the Archbishops of Tuam in whose diocese the monastery was. Pope Urban VI (1378-1389) was asked to intervene by the displeased

townsmen who were unhappy with the pastoral care provided by the monastery. But despite some reforms the abbot retained the power to appoint anybody he chose to take pastoral care of the people of Galway. In 1399, the inhabitants of the town were displeased with the rights of the abbot and complained to Rome. The pope appointed John Lang, a priest of the diocese of Cashel, to take pastoral care of Galway. The outcome of this and many other disputes is not known. There were clashes over priests appointed to Galway by the monastery. Others who claimed appointment by the pope were not acceptable. The problem of speedy communication with the pope increased the difficulties. In 1446 Donatus O'Murray was at the centre of a dispute as to whether he was the legitimate priest in Galway. This may have influenced him in later years when he became archbishop of Tuam as it was he who sanctioned new arrangements for Galway. It was while O'Murray was archbishop that Tuam and Annaghdown were perpetually united. Galway was now directly under the control of Tuam.

No doubt fearing that in future Irishmen would rule over the Church in Galway, the town asked for a measure of ecclesiastical freedom from Tuam. Simultaneously the town fathers were looking for greater municipal freedom. And so an application was made on behalf of the parish of St. Nicholas to the archbishop of Tuam for a new ecclesiastical structure. This was granted by Donatus O'Murray in 1484 by which grant the wardenship of Galway was established. The archbishop erected the Church of St. Nicholas, Galway into a Collegiate Church (i.e. having a college or body of priests attached to it). It was exempt from the ordinary jurisdiction of Tuam by letters under his seal dated 28th September, 1484. United to the parish of St. Nicholas was the parish of St. James, Claregalway. The senior priest of the new jurisdiction would be called a warden and he would have quasi-episcopal status. The archbishop of Tuam however would retain some visitation rights, not clearly defined, over the wardenship. Eight choral vicars would assist the warden in the pastoral care of the people. The warden and vicars would be elected by the mayor and members of the corporation as then constituted, and there would be an election every August. The warden would present himself for re-election each year, while there would be an election for the post of vicar only when there was a vacancy. The clergy of the collegiate church were to be learned, virtuous and well-bred and were to observe the English rite and custom in the Divine Service. After institution the warden would have power over all the vicars and parishioners and would have responsi-

bility for the pastoral care of the people. The eight vicars would be presented by the town fathers to the warden for institution while the corporation would present the warden to the vicars for institution. The foundation documents are not explicit as to every detail. What happened, in fact, was that the vicars were normally chosen from the secular clergy and for life.

From now on neither the pope nor the monks of Abbeyknockmoy would have any say in the provision of priests for the pastoral care of Galway. When the town's municipal privileges were confirmed on December 15th, it was felt that the ecclesiastical grant should be made permanent and free from interference by some less friendly archbishop of Tuam. With this in mind, an application for papal confirmation was made to Rome. This was granted on 8th September 1485 by a Bull of Pope Innocent VIII *Super Dominicum Gregem* which accepted and confirmed the grant made by Archbishop O'Murray.

Thus in 1485 there began a new era of municipal and ecclesiastical freedom for Galway. The first mayor and bailiffs under the new charter were elected on August 1st 1485 and sworn into office on September 29th. Soon afterwards the confirmatory wardenship Bull arrived from Rome and it was read before gatherings of the inhabitants in the Town House on the 3rd and 6th November 1485.

The petitioners to the archbishop and later to the pope, in giving reasons for their request, stressed the lack of public order and liturgical deprivation under the old system. They urged that the parishioners of St. Nicholas, Galway, were . . . .

> ". . . . a modest and civil people who live surrounded by walls, not following the customs of the mountainous and wild people of those parts and that by reason of the impetrations and provisions of the aforesaid mountainous and wild people to the vicarage of the said church of Saint Nicholas, before commonly governed by vicars, they were so much disturbed that they could not receive at divine service the holy sacraments according to the English decency, rite and custom which the aforesaid inhabitants and their ancestors always used; they being much disquieted therein and sometimes robbed of their goods and killed by those unlearned men and also they were obliged to sustain many other damages and inconven-

iences both in person and in substance from them and feared to suffer more for the future unless they were speedily succoured".

This argument concerning the hostile Irish is hardly convincing. There is no immediate evidence of the surrounding Irish being particularly barbarous or a menace to the townspeople. Not a single bye-law is recorded in the early corporation records, to deal with the alleged robbing and killing by the native population, although many other matters relating to the Irish are the subject of legislation. There is much evidence of controlled trade between town and country but no hint of the crimes ascribed to them in the petitions to the archbishop and to the Pope.

Even if these charges were true, it is not at all clear how this new ecclesiastical structure would deal with the danger from the marauding Irish. In fact, in the original grant, the parish of Claregalway, a completely Irish area, was united to the wardenship and subsequently, other parishes were added. If the native Irish were as hostile as alleged, it seems unlikely that the townspeople would have asked for these further grants.

Nor does the liturgical argument seem completely valid. In the actual church services, the rite followed was the same for Norman and Irish and the new grant would have made little difference. The people of the borough may have wished to have priests of their own cultural background and the new arrangements would have ensured this.

All the evidence would indicate that Archbishop O'Murray favoured the establishment of the wardenship. He would have had inside knowledge of the Galway situation and he was therefore in a position to estimate and judge the validity of the reasons and arguments of the petition. He must have had good reasons for making so radical a change which reduced the authority of his own see and removed from its immediate jurisdiction this thriving community. His personal experience of the previous confusion must have led him to favour change. The pastoral requirements of the growing town may also have necessitated some reform. It is likely that the Franciscans in 1296 and the Premonstratians earlier came to Galway in answer to a need, when the service provided by the secular clergy was inadequate. The changes of 1484 may have been effected to bring about better pastoral ministry for the people. The presumption is that the nine priests provided under the new system were a considerable increase on the number provided by the abbey. The later petitions for

further endowments would indicate increased financial requirements. An increase in clergy would also have ensured for Galway, liturgical services in keeping with its growing importance; for the collegiate system provided liturgical services such as the Divine Office in Choir not normally available under the ordinary parochial arrangements.

But probably the chief but unstated reason is to be found in the context of Anglo-Irish relations. For political reasons, Gaelicisation had been opposed by such laws as the statutes of Kilkenny, 1367. Control of the local church through Anglicisation, as a means of obtaining or retaining political power, was a feature of Norman administration in Ireland since the time of Archbishop Laurence O'Toole. Cultural absorption of the settlers was inevitable unless a determined effort was made to erect legal and social barriers to prevent this assimilation. In the case of Galway, in particular, economic considerations greatly encouraged this desire to preserve ethnic and cultural identity. The Galway settlers had gained considerable wealth through trade and they were determined to maintain their position by many discriminating trade laws. Their ability to control their commercial relationships with the Irish depended to a large extent on their municipal independence being maintained and this again depended on the good-will of England. It is not surprising, then, that Galway was one of the few places which remained fully loyal to the English connection during the War of the Roses.

The close relationship between Church and State in pre-Reformation Norman Ireland inevitably affected Galway. It was to be expected that Galway, which to a great extent was a City-State, would seek control of the local Church. Its granting by Tuam and confirmation by Rome was but the final seal on the town's separateness and the guarantee that she could pursue her policy of political, cultural and economic autonomy with the full support of the religious authorities.

The history of the wardenship is the story of a settler community which refused to integrate with the people who surrounded them. Their determined effort to preserve their identity was greatly supported by the civil and ecclesiastical privileges granted during 1484-85. With the passage of time, when political, social and economic changes in addition to the Reformation, deprived these settlers of the support of the established Church and of the State, they erected an artificial ecclesiastical support for their struggle. The wardenship came to be seen by its opponents as

a means of preserving the identity and privilege of the "rump of an Anglo-Saxon colony" which, right up to the very bitter end, 1831, refused to integrate completely with the population of the surrounding districts.

Archbishop O'Murray made arrangements to endow the wardenship. He allocated to it the revenue from the parishes of St. Nicholas and St. James, Claregalway. He surrendered to them the right to income he had from the town of Galway and he transferred to them a number of endowments and benefices.

The Corporation Book A records the reading of the Bull "which the Corporation bought". This entry has given rise to the often repeated assertion that the grant from Rome was acquired simoniacally. The facts were probably otherwise. The granting of spiritual and temporal exemption by the pope was fairly common in medieval times. A special tax called a *census* was paid to the pope by the monastery or church seeking the exemption. Usually it was an annual payment although in the case of Galway there seems to have been but one payment. In 1470 the Cathedral of St. Giles, Edinburgh acquired privileges very similar to Galway's. So too did the parish church of Athenry, but within a few years it had ceased to exist as collegiate. Both Galway and Athenry Collegiate Churches were in the archdiocese of Tuam and both Concessions were granted by Donatus O'Murray. Before the Confirmatory Bull arrived from Rome, Archbishop O'Murray had died on 17th January 1485.

The people of Galway were again fortunate in his successor, William Joyce who succeeded on 17th May 1485. The new archbishop, a member of an influential Galway family, was soon asked for further financial endowments. They petitioned that all previous grants be confirmed and that further territory be assigned to the wardenship because, they said, their present revenues were insufficient. The new archbishop confirmed all former grants and privileges of the wardenship. On 8th December 1485 he transferred Oranmore and Maree, while retaining a portion of the revenue for himself. Oughterard was transferred to the wardenship on 23rd January 1488. The parish of St. Mary of Rahoon was next added on 12th April 1488, apparently on the death of Fr. Donatus O'Donnell. Moycullen was given to the college on the resignation of Fr. Cornelius O'Halloran. Diocesan boundaries were not sacrosanct in those times as can be seen from the transfer of Skryne (Scrin) to the college on 8th February 1491, when Fr. John Burke had resigned. Skryne was an ancient

shrine of Saint Jarlath in the town of Tuam. The parish of Shrule was joined to the wardenship on 17th August 1501, after the priest there Thomas Burke had given his consent. Soon after, Archbishop Joyce died and he was succeeded as archbishop by another Galway name, Archbishop Walter Blake. As would be expected by the townsmen, he at once confirmed all the grants made to the wardenship. Shortly before 1526, Roscam was added to the wardenship, the last territorial addition.

The territorial expansion of the wardenship did not take place without opposition. Lay patrons and clerics, who claimed to have rights, objected to these annexations and made efforts to obstruct the college. Appeals were made to the Pope who, in turn, commissioned bishops and church dignitaries to intervene and investigate. The unions of Skryne and Moycullen with the collegiate church must have been questioned, as on 4th June 1492, Pope Innocent VIII issued the *Bulla pro Skryne et Muchulin* by which he confirmed the union. This was followed by a series of further claims.

Maurice O'Flaherty, a cleric, laid claim to Moycullen while Roderick Canavan and Owen O'Flaherty claimed Oughterard. Richard Burke and others claimed Oranmore and Maree. To deal with some of these complaints, the Pope wrote in 1486 to Matthew, bishop of Clonfert and David Burke, one of his canons, asking them to investigate the claims of Maurice O'Flaherty to Moycullen and that of Richard Burke to Oranmore. The claims were investigated on 17th December 1497 in the parish church of Ballynpatrick in the diocese of Clonfert. Judgement was pronounced against the claimants. Disputes seem to have continued, as, in January 1501, Pope Alexander VI issued a sentence of excommunication against all those "sons of iniquity" who were harming the college and its parishes.

Whatever peace this intervention brought was shattered when, in 1502, Richard Burke, Canon of Annaghdown claimed rights in Claregalway. Florence Canavan, who was appointed to investigate the claim, dismissed it as groundless. Later a certain Fr. Meiler and Fr. Thomas Jennings, two diocesan clergy, claimed the livings of Kinlough and Shrule and obtained letters from Rome allowing the claim. In reply, the warden and vicars appealed to the archbishop of Tuam, who, on 9th January 1526, annulled the grant.

Shortly after Roscam had been united to the wardenship, Edward

Burke, archdeacon of Annaghdown claimed it. John Dermody, then warden, appealed to Cardinal Wolsey, who appointed the dean of Kilfenora to investigate and determine between the parties. On 5th August 1529 the dean issued his findings in favour of the college. This suit seems to have ended for a time litigation concerning the exterior possessions of the wardenship. These disputes arose not alone from imprecise territorial arrangements, but also from the general legal imprecision of the relationship between warden and archbishop. There is no evidence of any legal arrangements governing this connection beyond the archbishop's grant and the papal Bull. This laid down with some exactness, the mode of election and the allocations of revenues. Possibly the archbishop did not consider it necessary to be more precise than in fact he was. As the collegiate arrangement was well-known in England and fairly common in Ireland, the situation would have been regulated by ordinary church law; the collegiate church and the area under its control would continue to be an integral part of the diocese in which it was situated. It is unlikely that, if there was any question of an independent jurisdiction being formed, the archbishop would grant Skryne, in the heart of his own territory, to the college. When granting Rahoon he described the wardenship as "in our diocese of Annaghdown". On that occasion, he clearly stated that he was reserving his see's ordinary rights over the area. The grant was conditional on pastoral care being taken of the people of the parish. In this and in all other grants, he reserved the right to see that this condition was fulfilled. As bishop of the transferred parishes, he was still empowered to supervise, visit and investigate at any time and make appropriate arrangements for the spiritual welfare of the inhabitants, as in any other part of the diocese. There was nothing in the early history of the wardenship to give foundation to the later-claimed quasi-episcopal rights and independence from Tuam.

The archbishops were not alone in regarding the wardenship as an integral part of their territory; the Galway municipal leaders were of the same mind. In 1486, 1506 and 1542 the mayor and corporation asked the archbishops to confirm the previous grants. The implication was that the territory was still in the archbishop's jurisdiction, and the possibility that the privileges might be withdrawn, could not be ruled out. This position was maintained until the Reformation which radically altered the ecclesiastical situation in Galway, as it did in the whole country.

As in the case of many Irish dioceses, it is difficult to know when the college accepted the Reformation, how serious their acceptance was, and when they finally and permanently transferred their allegiance from the pope to the English monarch. When the oath was taken, it is equally difficult to know how much was conviction and how much was political opportunism. The position of the archbishop of Tuam is particularly uncertain but the attitudes adopted by him may reflect the situation in Galway.

Christopher Bodkin, at the request of Henry VIII, had been provided by the pope to Kilmacduagh in 1533 and after the breach with Rome was transferred by Henry to Tuam in 1537, while still retaining Kilmacduagh. Rome, ignoring his appointment to Tuam, provided Arthur O'Friel in 1538 but Bodkin succeeded in retaining possession. At an investigation held before Cardinal Pole in 1555, the excuse was accepted that he had slipped into schism rather through fear than through inclination and he was permitted to continue in office. Although, under Elizabeth, he took the oath of allegiance, he reintroduced the Mass and divine office, assisted daily at choir and was well thought of by everyone. A good-living man, he never omitted his daily Mass until his death in Tuam in 1572, having bequeathed a picture of the Blessed Virgin and a statue of the Immaculate Conception to his brother and having ordered that none of the ecclesiastical property under his care should pass to his relatives. For about twenty years it looked as if Galway for political reasons would accept the Reformation. However for political reasons also the majority changed back to the old faith and stayed there.

Just as the position of the archbishop, a Galwayman, is not clear, the position of the Galway college and corporation is also obscure. As happened elsewhere, political and religious factors intermingled. Some who took the oath did so, either through lack of information on the over-all situation or because they regarded it as an interim measure until the immediate political necessity had passed. The earliest intimation we have of the position in Galway is the visit paid by Lord Deputy Gray, in July 1538, to enforce acceptance of royal supremacy. He secured this from the mayor and council, and from the 'bishop'.

Who this 'bishop' was is not clear. It may have been the warden or perhaps it was Archbishop Bodkin. The latter, now in effective control of the archdiocese which included the wardenship, attended a provincial

synod in Galway in 1542, when his authority over the area was recognised by the civic leaders. It was at their request, that the archbishop, on 25th February 1542, confirmed all the benefices which the college had justly and quietly possessed. It is worthy of note that the three archbishops of Tuam, Joyce, Blake and Bodkin, who confirmed the Galway privileges, were themselves members of distinguished Galway families.

When the people of Galway witnessed the spoliation of the Galway monasteries, they were, understandably, anxious that this should not happen to their only remaining church. While they desired that Henry VIII should confirm the wardenship privileges, they nonetheless made advance preparations lest he should refuse. In anticipation of such an outcome, the corporation appear to have first gradually alienated to individual citizens for safe-keeping, furniture and some of the sacred vessels of the church. They then formally surrendered the church with all its remaining possessions to the crown. They hoped that by this surrender and the renewed taking of the oath of supremacy, they would obtain a royal charter to preserve the wardenship. A petition to this effect was sent to the king but before any action was taken Henry VIII had died.

The petition was then sent to Sir Anthony St Leger, deputy of Edward VI. Simultaneously, as in 1484, a new civil charter was also petitioned. After a two-year delay, the grants were obtained, whereby the king, as supreme head of the Church, changed the church of St. Nicholas into a collegiate church to be henceforth known as 'The Royal College of Galway'. Under this new charter, dated Westminster, 29th April 1551, the college was to consist, as hitherto, of a warden and eight vicars, elected by the mayor and corporation, in whom were vested the fullest disciplinary power over the clergy. Both settler (Blake, Kirwan, French) and Irish (O'Hoysshyne, Talman, O'Rowane, Dermoyte, O'Brangan, O'Flartie) names were represented in the college of this period.

It is likely, that, as in Tuam under Archbishop Bodkin, Galway retained the old forms in the externals of the liturgy. Early in 1551 the Lord Chancellor and the Master of the Rolls, having visited Galway, expressed themselves satisfied that the town need not be suspected of adhering to "anny forreigne power". Technically and legally, the reformed faith had been established, but the arm of the law, the mayor and the corporation held on to the old faith. The warden and the vicars continued

as of old, and the Mass was the service universally used. The people would have nothing else. There was, therefore, little change when Queen Mary re-established union with Rome. Warden Peter Blake, on being summoned to meet the queen's commissioners, was able to satisfy them as to his orthodoxy and was able to avoid further inconvenience.

A recurring feature of the wardenship history was the measure of lay control exercised since the time the corporation first obtained its privileges. In repeated appeals for confirmation of the privileges, the corporation took the initiative in maintaining and strengthening the wardenship position. This lay control did not please the college of priests which apparently felt that once the necessary business of election was over, the civil leaders had no further function in the internal affairs of that body. About 1557, the college, apparently, appealed to the archbishop to protect them from interference by the corporation. In order to solve the difficulty, a meeting was held in the Town Hall, Galway, at which the corporation showed clearly that it regarded clerical discipline as within its ambit of authority. Specific regulations were made governing the conduct of the clergy who would seem to have had no choice but to agree. Two rules, in particular, illustrate the degree of lay control exercised:

No. 5: That the mayor and council shall henceforth control, correct and punish the warden and vicars without any complaint to be made by them or any of them to bishop or archbishop, save only to the mayor and council.

No. 6: That the mayor and council shall have the election of the warden yearly and all priests and clerks or any man else to serve in the church or college.

This is the first indication we have of the wardenship being regarded as independent of Tuam, despite the lack of any legal arrangements to that effect. And it would appear that it was the laity rather than the clergy who were responsible for this change.

Even after the accession of Elizabeth, the Mass continued to be celebrated and the old order remained for many years. There seems to have been a further alienation of the collegiate property as it became increasingly clear that Elizabeth intended to insist on the acceptance of the

Reformation both in the spirit as well as in the letter. The clergy granted in perpetuity to their friends and kindred the greatest part of the possessions of the college. When finally the Reformation had been irrevocably accepted, it was found that what possessions remained were entirely inadequate for the support of the clergy and further provision had to be made.

It is difficult to say when the college finally accepted the Reformation, nor is it known how many of the members of the college conformed. It was probably before 20th September 1578 when the queen endowed the impoverished college with the late dissolved monastery of Annaghdown. Perhaps the change came after the death of Archbishop Bodkin in 1572; his successor, William Lally, was certainly of the reformed faith and may have been the person who forced the issue. On 13th July 1577, he ordered the people of Galway to pay their tithes to the college and this may indicate an acceptance of the Reformation by some of the local clergy. However, it is clear that by 1585 the Protestant services were firmly established in Galway.

Ultimately, the great majority of the people of Galway refused to accept the Reformation. The probability is that, since there was no all-out effort made to enforce it, any change was very gradual. In an old and closely-knit community like Galway, where family ties and traditions were particularly strong and where the power of England was more distant than in other parts, any change would have been very slow. In 1572, there were in Galway only 15 Protestants whose motive in accepting the reformed faith was to please the queen rather than any other cause. So Galway corporation must have remained largely Catholic for many years. Our knowledge of the twilight period is limited; all we can deduce is that at some stage during this period, the presence of non-Catholics, having the power to choose a Catholic warden, became an embarrassment. The fact that the collegiate church of St. Nicholas formed part of the established Church, further complicated the issue.

The solution found by the Catholics was not arrived at, as far as is known, by taking the matter to the archbishop or to the pope. They by-passed the town corporation and constituted themselves, in secret, a 'corporation' comprising Catholics only, and meeting for the sole purpose of elections. From now on, there were two corporations and two colleges. Although the reformed college possessed the buildings and the

temporalities, there can be no doubt but that the Catholic college held the centre of the stage and maintained the allegiance of the great majority of the people in the wardenship. The Catholic warden and vicars continued to be selected from the local people and they continued to be the dominant influence in the town. This position was maintained for the unusual reason that Galway's leading families continued to be the town leaders without conforming to the established Church. Many of the old Galway families retained their wealth and the old faith right through the penal years and continued in no uncertain fashion to exert a strong lay influence in the Catholic college, as their ancestors had done.

The reformed college on the other hand was a minority institution generally ruled by non-natives and playing a minor role in the history of the town. At a time when the town population was estimated at 30,000 persons, only six-hundred were adherents of the established Church and, no doubt, many of these were a foreign element: absentee aristocracy, military and government officials. So that for all practical purposes, the wardenship of Galway was the Catholic one.

The restructuring of the corporation without any legal authority was to be the cause of great trouble as long as the wardenship existed. The first archbishop of Tuam to question the change would seem to have been Florence Conry (1609-1629) who, possibly because he never resided in his see, did nothing positive to remedy the situation. In 1620, the Catholic warden, James Fallon, had doubts about the validity of his own election and jurisdiction. He applied for confirmation of his election to the archbishop's vicar, but the vicar refused to entertain the request without a general petition from the town of Galway. The people refused to comply with this, showing in those less happy days remarkable independence from both the warden and the archbishop. The warden then appealed to Dr. Conry, resident in Louvain, telling him that "the people of this town are so steadfast in the matter that for all the clergy in Ireland, they would not lose one atom of privilege conceeded to them by the Holy See".

The archbishop does not appear to have granted the requested confirmation; in fact, he was decidedly hostile. He insisted that when the corporation, which was in the contemplation of the pope, ceased, the controlling power reverted to the archbishops of Tuam. He denied the competence of a self-formed body to act under a Bull which was meant

for another and a different corporate body.

The issue came to a head under Dr. Conry's successor, Malachy O'Queely (1630-1645) during whose period of office the relationship between Galway and Tuam greatly deteriorated. The warden, Walter Lynch, claimed immunity from visitation by the archbishop, which claim the latter would by no means allow. A serious dispute arose which led to the proposal that the matter be put to arbitration. On 19th May 1635, a document was drawn up stating that all controversy regarding jurisdiction, correction, and visitation of the town and college would be suspended, pending the decision of an arbitrator. The matter was taken to Rome and a decision was given by Pope Urban VIII on 12th November 1635. He confirmed the claimed exemptions from the archbishop's ordinary jurisdiction on the grounds of continuous immemorial custom. This would seem to have been the first occasion that Galway got confirmation of her unique claims.

But Malachy O'Queely was not prepared to forego without a struggle what he considered to be the ancient and undoubted rights of his see. He re-opened the case in 1637, claiming that the original grant of Innocent VIII had either never been made, or, if it had, that it had been obtained surreptitiously. He said that the confirmation of Urban VIII had made no reference to this original grant. With regard to long possession, the archbishop claimed that it could not be described as pacific, that his predecessors had opposed it, and that, in any case, such pacific possession did not dispense the college from visitation and obedience. He further claimed that the recent approval by Urban VIII had been secured under false pretences, that the warden was still obliged to allow visitation by the archbishop. The warden, on the other hand, claimed that he was exempt from the archbishop's ordinary jurisdiction, to which Dr. O'Queely replied that the warden was not entitled to claim for the college episcopal or quasi-episcopal rights. If he were judging the question on the basis of the original grant, the archbishop would seem to have been right. But he does not seem to have attached any importance to the possibility of exemption having been acquired by legitimate prescription, which was the Roman view-point.

In February and March 1637, the archbishop wrote "from his place of refuge in Ireland" to the Roman authorities, through his agent to the Holy See, Edmund Dwyer. He complained that the warden was using

indirect means to avoid fulfilling the terms of the judgement of Urban VIII. He asked the agent to act vigorously to prevent intrigue which would deprive him and his successors of their rights.

From this, it appears that the college objected to any visitation by the archbishop and was therefore claiming full exemption and diocesan status. Again, there was lack of legal precision in the confirmation of Urban VIII, as to the precise nature of the archbishop's rights. Being a man of persistence and courage, the archbishop did, in fact, carry out a visitation of some of the wardenship parishes, despite the warden's objections. Two of the vicars, Dermot Folan, vicar of Moycullen and Kilcummin and Dermot Conniffe, P.P. Rahoon and vicar, formally promised, in a signed document of 1st April 1637, that they would not permit the archbishop to carry out a visitation of their parishes; they did not wish to derogate from the privileges of the wardenship. The rest of the college promised to defend them from all ecclesiastical censures.

In his report of that year to the pope, presented through his agent, the archbishop blamed the warden for the situation which had developed. He accused him of trying, in various ways, to withdraw the clergy and people of Galway from his jurisdiction and from the obedience that was his due. He also accused him of not having respect for him as his bishop and having no respect, either, for the pontifical decree which had endeavoured to settle the case. The archbishop, informing the Roman authorities that the warden had the support of his laity in his actions, asked them to put a stop to this disobedience or there would soon be an end to his ecclesiastical government.

In that same year, the archbishop sent two priests to Galway, Donnogh McMahony and John Dooley, but they were so badly treated that no other priest was prepared to risk insult at the hands of the townsmen. Later that year, the archbishop himself went to Galway, despite warnings "not to show his face" there again. He complained, probably to the nuncio in Brussels, that nobody dared visit him while he was in Galway. The religious orders, through fear, he claimed, took sides with the warden. The archbishop referred with bitterness to the way he had been insulted and calumniated by the warden and vicars. They claimed that it was his intention to try to put an end to the wardenship privileges. If Rome did not take action soon, he concluded, it would be "adieu to all spiritual government".

The congregation of Propaganda replying on 28th August 1638 to the archbishop's requests in his report to the pope, commended his pastoral vigilance. With regard to Galway, he was told to uphold his rights and he was advised to procure the pontifical decree which was said to have been issued on the question. This reply does not indicate much interest in the archbishop's complaint.

There is some evidence for the archbishop's assertion that the Galway laity fully supported Warden Lynch in his efforts to stay independent of Tuam. In 1637, Pierce, Thomas and Patrick Kirwan, and Ambrose and James Lynch, apparently lay-men, signed a written defence of the warden against the accusations of the archbishop. Notwithstanding the hostility of the Galway clergy and laity, the archbishop presided at a provincial synod which met in Galway on 21st November 1639 and 22nd July 1640. It is not known if the local troubles were discussed at these assemblies.

The controversies continued during 1640 with a challenge from the warden to the archbishop to discuss the case and prove his point. Had he ever got favourable legal opinion to help prove his claim? Why had he intruded priests into wardenship parishes? Walter Lynch had no hesitation in placing the blame on the archbishop's shoulders; he was very well aware of the scandal that was being caused to the faithful.

Matters came to a head on the question of collation to parishes, after the archbishop had appointed to Claregalway in 1643. A peace effort failed and there was violent personal animosity leading to mutual excommunication. At length they agreed to submit the question to a commission consisting of the bishops of Elphin and Clonfert, the vicar-apostolic of Kilmacduagh and three lay-men. This commission succeeded in bringing about a settlement.

The 1641-1652 rebellion in Ireland brought about a sudden change in the fortunes of both colleges. The corporation gave the Catholics a share in the tithes, and on 18th June 1643 the Catholics repossessed the collegiate church of St. Nicholas. Mass was celebrated there by Fr. John Keegan S.J. and on the following fifteenth of August, the first public procession was held. Hostility towards the archbishop of Tuam must have increased, if anything, now that the college had regained its temporalities and civil rights. The disputes, however, which ensued, were with another

archbishop, as Malachy O'Queely died on 25th October 1645.

During the vacancy in Tuam, the see was administered by Walter Lynch in his capacity as dean of Tuam and now vicar-capitular. The warden earned the high esteem of the nuncio to the confederation of Kilkenny, Giovanni Battista Rinuccini. When John de Burgo, bishop of Clonfert, was transferred to Tuam in 1647, Walter Lynch was appointed in his place. Patrick Lynch became the new warden of Galway and once more a new dispute with Tuam developed. The divisions and loyalties of the parliament at Kilkenny complicated the Galway troubles and were reflected in the positions adopted by the different parties.

The nuncio had consistently favoured a policy of securing religious freedom as of primary importance while urging that less attention be paid to such matters as the restoration of the king. In 1646, he successfully opposed the pact arranged by the royalist deputy, James Butler, because religious liberty was not guaranteed. Owen Roe O'Neill, the leading Irish general, and the old Irish, supported the nuncio's policy, while the Anglo-Irish, including many of the bishops, were partial to Butler. This led to a serious rift in which the bishop of Clonfert and the warden of Galway supported the nuncio, while the archbishop of Tuam took the opposite side. It seems likely that the Clonfert and Galway support was the result rather of historic anti-Tuam attitudes than due to the merits of the nuncio's viewpoint in a very complicated situation. One would have expected Galway and Clonfert to support the Anglo-Irish rather than the old Irish, but hostility to Tuam had grown to such a degree that it, possibly, brought the warden and college into the opposite camp. One might suspect too, that Galway hoped to have a strong supporter of her privileges in the nuncio, should any further serious attack be made on them.

The Kilkenny scene was further aggravated when, in 1648, the notorious parliamentary supporter, Lord Inchiquin, made a truce with the confederation. The nuncio departed from the assembly and later issued sentence of excommunication against all persons who would accept the truce and interdict against all towns upholding it. In taking this action, he was clearly departing from his Roman instructions and, as a result, one third of the bishops, including the archbishop of Tuam, refused to accept the validity of the censure. Galway town was divided in its attitude to the truce and to the nuncio.

On 2nd June 1648, the mayor of Galway was prohibited by the warden, Patrick Lynch and a vicar, Gregory Joyce, from publishing the truce of Inchiquin. But the town accepted the truce, which led to the collegiate church of St. Nicholas being placed under interdict and, therefore, closed to the public. On Sunday, 10th September 1648, the archbishop of Tuam and the mayor of Galway forced entry into the church, in defiance of the nuncio's action. This gave rise to the rumour that the archbishop intended to "trench the liberties of the college". Next day, the archbishop and the mayor issued a statement denying this accusation. Thus the familiar pattern was repeated, as it would so often in the future: when the archbishop exercised authority in Galway, it was rumoured that he had in mind the extinction of the privileges.

Perhaps thinking that Rinuccini, now back in Italy, might speak in favour of Galway, the college made yet another attempt to gain complete exemption from Tuam. Dealing both indirectly through an agent, a certain Fr. Joseph, and directly to the secretary of the Propaganda, the petition of the warden requested, not just a confirmation of the old privileges, but now asked for complete exemption from Tuam, with the wardenship subject directly to the pope.

There is no record of Rome taking any action in response to this petition. Perhaps such an intervention would have been of little significance at this time for Galway, when changes in ecclesiastical administration were very difficult to effect. This was particularly true in the town, which was the focal point of Irish resistance to the Cromwellian intervention in 1651-1652. When the town surrendered in 1652, after a long siege, the collegiate church did not for a time revert to the clergy of the reformed faith but was used as stabling and was greatly damaged. The wealthy and hitherto influential Catholics were indiscriminately banished and, because of penal laws, were forced to go into exile.

Warden Lynch, who had ministered with great courage in difficult times, fled to Nantes in 1652. In 1655 the archbishop of Tuam, too, went to Nantes. In his report of 1658 to the Pope, written from that city, the archbishop informed the Roman authorities that Galway was seeking exemption from his ordinary jurisdiction, although having no grounds in law to justify that claim. The reply from Rome is not known.

It is difficult to reconstruct this period of the wardenship owing to

the troubled state of the times and the lack of documentation. Warden Lynch died in November 1660 and was buried in the church of St. Nicholas, Nantes. In that year too, the archbishop left Nantes and arrived in Ireland in 1663. The indications are that the next warden was Fr. Gregory Joyce, who was chosen during the reign of Charles II. He was a member of the regular clergy and was said to have been elected by special papal dispensation. Warden Joyce did not regain possession of the collegiate church or the wardenship property lost during the Cromwellian invasion; on the restoration of Charles II, the clergy of the established church resumed occupation and on 23rd March 1663, they elected James Vaughan as warden.

Matthew Lynch was probably the next Catholic warden and he may be the person to whom Archbishop Oliver Plunket referred after a visit he paid to Galway in 1673. He had come to confer the *pallium* (the special stole worn by archbishops) on the new archbishop of Tuam, James Lynch (1669-1710) who, like some of the other archbishops, actually resided in the town. The primate, reporting to Msgr. Baldeschi, secretary of the Propaganda, stated that the warden pretended to exemption from the jurisdiction of the archbishop and on this head disorders frequently arose. As far as Archbishop Plunket could see, the warden had no legal basis for his claim. Plunket did not regard the matter as urgent, as he left it to the archbishop of Tuam to deal with as he saw fit.

During the period in office of Archbishop Lynch, there is little evidence of disputes between Galway and Tuam. This may be explained by the fact that the archbishop lived outside Ireland for much of that time, or perhaps because he was himself a member of one of the old Galway settler families.

Towards the end of the reign of Charles II, the Catholic position in Ireland improved while that of the established faith became more precarious. On the death of the Protestant warden, James Vaughan, in 1683, the wardenship was perpetually united to the archdiocese of Tuam (reformed) by letter patent of 30th August 1684 from Windsor Castle. The order was not considered valid and was never executed. Both Catholic and Protestant colleges must have followed with great interest the coming to power of the Catholic James II. King James made no immediate move to restore to the Catholics what they considered to be rightfully theirs. This inactivity, on the part of the king, allowed the Protestants to retain possession and was a source of serious disappointment to the Catholics

and their warden, Henry Browne.

At this time political changes were made which were to have a profound effect on the Catholic corporation. On 25th September 1687, James II granted the town corporation a new charter, favourable to Catholics, and the following year Catholic freemen were admitted. Thus, once more, there were many Catholics in the town's legal corporation, to which the electoral powers granted in 1484 must now revert. On 29th March 1688 the town corporation directed that the Catholic Warden, Henry Browne, should continue in office until the following August when the next election would be held. The corporation also directed that the Protestant archbishop of Tuam, John Vesey, be required by letter to surrender to the college the wardenship property, exclusive of the collegiate church and cemetery. The archbishop refused and summoned the warden and vicars to a synod under the pain of his indignation, and at their own peril if they did not appear. The college appealed to the Lord Deputy who ordered the archbishop not to require the Galway clergy to appear before him nor to molest them further, while the matter was *sub judice.* The deputy was ready to appoint impartial judges to decide the matter whenever His Grace would be ready.

The archbishop refused to surrender the wardenship property and filed a bill of chancery on 7th November 1688 praying relief against the encroachments. There is no evidence that the case was ever decided in the courts. Since Archbishop Vesey had successfully resisted the demands of the town corporation, they, in turn, annulled all his rights in the wardenship. As he was still in possession of the collegiate church and the college house, both in a poor state of repair, the Catholic clergy petitioned the king in July 1689 for leave to take possession of both buildings. When the king referred the matter to the judiciary and no order was made, the warden again petitioned, declaring that it was against the law of the land that a Protestant archbishop should be in possession of Catholic property. Before any reply came from the king, the town governor, Lord Clanrickarde, anticipating a favourable answer, delivered the possession of the church to the warden who immediately undertook its repair.

This new freedom did not last. Warden Bodkin, who replaced the deceased Warden Browne in 1690, was compelled to restore the buildings again to the established Church, after the surrender of Galway in July

1691. The church has since remained in Protestant hands although Warden Bodkin himself was buried there. This is, perhaps, an example of family ties proving stronger than religious differences.

After the Williamite victory, the Catholics found it necessary to revive once more the unofficial Catholic 'corporation' in order to preserve the separate Catholic religious organisation. It would seem to have been during this period that old Galway families, usually Catholic, seized exclusive control of the electoral machinery, and retained it, against all opposition, while the wardenship lasted. No legal justification for this annexation can be found, although the electors made valiant efforts to prove historically the legality of the change. Until 1831 there were constant disputes between electors and non-electors, so that, to the continuing external differences as to the jurisdiction of the archbishop, was now added an internal struggle regarding the right to vote.

For centuries, certain Galway families had been closely associated with the civic and ecclesiastical affairs of the town. They were generally from the Anglo-Norman settler families, who, because of background, wealth and education, naturally rose to positions of power and influence. This power they frequently used to maintain the town's separate identity. The families, inter-related and closely knit, were thirteen in number: Athy, Blake, Bodkin, Browne, D'Arcy, ffonte, ffrench, Joyce, Kirwan, Lynch, Martin, Morris, Skerrett. The Deane family was sometimes included. The Lynch family, in particular, had an extraordinary record in having over eighty of its members elected to the office of mayor between 1485 and 1654. They also provided many wardens and vicars and the last mayor of the Catholic corporation was of that family. These leading families were known as the Galway "Tribes", a name first encountered in Cromwellian times. All other Catholic families in the town became known as "non-Tribes".

At no time were these families given any legal recognition in the original grants; in fact some of them were not in Galway until much later than 1484. Yet they gradually assumed power and position until some considered that they had acquired prescriptive rights in the college and corporation. For instance, from 1620 forward, only Tribal 'names' were chosen as wardens, with one exception. Yet the charter of King James granted full municipal rights, under certain conditions, to all Galway citizens, Tribe and non-Tribe. How or when exactly this seizure of control

came about is unknown but from about 1720, the Tribal families would seem to have been in exclusive control.

The position of religion in Galway, in the early eighteenth century, reflected, to some extent, the position in the country as a whole. At the beginning of the century, when the last concerted effort was made to enforce acceptance of the reformed faith, Galway was undoubtedly affected, though, perhaps, less than other places. Because of the well-organised college, it was able to adapt itself to the new situation. Since one registered priest was permitted to remain in each parish, it would seem to have been at this juncture that the college divided the ancient parish of St. Nicholas in four, St. Nicholas north, south, east and west, for the purpose of pastoral administration and allocated one priest to each quarter. This arrangement was timely as, between 1698 and 1712, no religious orders were permitted to remain in the town.

It is not easy to trace the line of wardens during this period. John Bodkin (Fitzandrew?) was, probably, the warden of the Williamite surrender. Patrick Skerrett was warden in 1707 while Warden John Bodkin (Fitzpatrick?) died on 16th August 1726. This latter warden would have seen the dawn of better times with the opening of a public church in Middle St. in 1725. He also would have witnessed the beginnings of the third big wardenship dispute, that between the regular and secular clergy.

Galway now had to endure a long dispute between the college and the religious orders. Had this dispute taken place in an ordinary diocese, the authority and power of the bishop might have brought it to an earlier conclusion. In the case of the warden, there was the constant danger of an appeal to the archbishop whose interventions were unwelcome both to the college and to the lay patrons. The general pattern seems to have been that the warden supported the secular clergy and this resulted in the regular priests having recourse to the archbishop.

Little is known of the relationship between regular (Franciscans, Dominicans, Augustinians) and secular in the early history of the wardenship. The Franciscans had supported the archbishop of Tuam during the Confederation of Kilkenny controversies; in 1684 there is evidence of some rivalry, but no very serious differences.

It was after the period of the regulars' absence from Galway (1698-1712), that differences arose. While the order priests were away, the secular clergy had performed all funeral services, both the burials and the 'Remembrance' Masses sometimes celebrated on the Sunday after the funeral. These services provided revenue, some of which the regular clergy on their return, wished to have. The regulars complained to the papal nuncio in Brussels, who deputed Francis Burke, archbishop of Tuam (1714-23), to intervene. Despite efforts by the archbishop, no solution was immediately effected. In 1719 fourteen leading men of the Galway Tribes attested that the religious orders had immemorial custom to substantiate their claims. The archbishop eventually decided in favour of the regulars, because, he held, they had canon law and immemorial custom in their favour. This, however, did not end the dispute and dissension continued.

In 1724, the Roman authorities and the nuncio in Brussels brought about a settlement which gave to the regular clergy a share in the mortuary dues. The secular priests were not entirely happy with the settlement but, nevertheless, they observed it for many years. An uneasy truce lasted until 1785 when, once more strife began.

When Warden Bodkin died in 1726, he was succeeded by Edmund Lynch. Religious oppression became more severe during his period in office; consequently, the scattered remnants of the transportable college property were collected and sent to France, from where they provided a small income even as late as 1822. Despite some persecution by the civil authority, internal disputes continued, in which the essential weakness of the warden's position was clearly shown.

First of all, the legality of the warden's election was questioned and the matter sent for decision to Archbishop Spinelli, nuncio in Brussels. Patrick Skerrett, who claimed the wardenship, seems to have acted in that capacity for some time. The case was referred by the nuncio to Cornelius O'Keefe, bishop of Limerick, who found in favour of Warden Lynch.

Two further disputes threatened the peace of the wardenship. One was the perennial question of the jurisdiction of the archbishop; the other was concerned with the allocation of parishes. In the matter of allocation of parishes, the weakness of the warden was obvious and continued to

be so down to the suppression in 1831. The vicars, from whom the warden was chosen, never regarded his authority as 'quasi-episcopal', as Galway spokesmen so often described it. They looked on him as first among equals and treated his authority often with disregard. In the collation of parishes, the unusual custom had developed of their being allocated, not on merit, but by seniority. Thus the senior vicar got his choice of parish and the others, in turn, as parishes became vacant.

Thus, vicars were constantly changing to more desirable parishes. The pattern generally followed resulted in old senior priests reaching town parishes, at an age when they were unable to give adequate pastoral care to their new and more numerous parishioners. Thus, too, was the warden deprived of a most potent weapon in exercising authority over his priests.

Two complaints reached the nuncio concerning Warden Lynch. One, from Archbishop Patrick O'Gara of Tuam, stated that the warden was claiming exemption from his jurisdiction and that the Galway clergy were seriously divided pro and contra the warden. The other came from three Galway priests who accused the warden of contravening the accepted custom regarding the allocation of parishes. In 1727, the nuncio asked the archbishop of Cashel to investigate, but he asked to be excused; the bishop of Limerick was then asked to go to Galway again.

The bishop, writing to Galway in 1728, asked the warden to convene a meeting at which he would state the grounds for claiming exemption from visitation by the archbishop as "this is what you are desired by the great man abroad, and by order from him". It is not clear if the bishop of Limerick went to Galway. The exemption question was certainly not settled but was allowed to lapse for some time. More pressing internal problems had first to be solved.

The complaint of the vicars was, that Warden Lynch, on his election, had appointed Robert Skerrett as parish priest of Middle St. and Gregory French, parish priest of Abbeygate St., despite the fact that two rural priests, John Skerrett and Patrick Bermingham felt they had prior rights.

To resolve the question, the nuncio, in 1728, instructed Edmund Kelly, bishop of Clonfert, to investigate. Having done so, his decision of 27th November to the nuncio, was that the warden had observed all the legal

forms and that he had consequently rejected the complaint. Despite this seeming disregard for the wardenship custom and despite the consequent strengthening of the warden's position, the college continued the practice of allocating parishes by seniority, and thus, later, provided one of the excuses for the termination of the Galway privileges.

Edmund Lynch died in 1730 and was succeeded by Patrick Bermingham, a member of the non-Tribe community whose election was said to have been an effort to placate the unprivileged non-Tribesmen. The new warden entered office as the last and most serious wave of religious persecution reached the town, during which he himself spent some short time in prison. But external troubles were not severe enough to prevent further internal trouble. In fact the see of Tuam was now occupied by a prelate, Archbishop Bernard O'Gara, who intended to bring the whole matter to a head. In Galway, he was opposed with equal vigour, despite the distraction of divisions and disputes within the college.

Early in the rule of Warden Bermingham, there was a difference with the archbishop on the question of appointment to the parish of Claregalway. To settle definitively the exemption problem, the nuncio in Brussels, Archbishop Gonzaga, on 2nd April 1732, appointed Bishop O'Keefe of Limerick once more to mediate in the dispute.

The bishop convened a meeting at which all the old arguments were repeated. The archbishop insisted that the original grant had never been made or else that it had been obtained by false information. The Bull of Urban VIII had made no mention of exemption and it was manifestly false to state that Galway had enjoyed peaceful possession. It had, in fact, been challenged by succeeding archbishops of Tuam. Dr. O'Keefe warned both parties not to waste time and money on a law-suit, whose outcome was very doubtful. He succeeded in effecting a reconciliation when both parties agreed to abide by his recommendations.

The bishop suggested, in a letter to the nuncio of 23rd May 1732, that the Galway privileges be preserved and that the wardenship be independent except for a triennial visitation of the warden and his subjects by the archbishop. In any dispute in the wardenship, an appeal could be made to the archbishop. In future, the warden would be elected every three years instead of the then annual election. Richard Hennessy, dean of Limerick, travelled to Brussels to help with the settlement.

On receipt of the proposals, the nuncio wrote to Dr. O'Keefe intimating his complete satisfaction with them. The archbishop of Tuam gave his formal agreement on 1st July and on 28th July the Galway party did likewise. On 11th September the matter was finally settled and only awaited formal ratification by the pope. Next day, Dean Hennessy on his way home, wrote from Louvain with the good news to the warden. Again on arrival in Limerick, he wrote a second letter to inform him that for all practical purposes he would be bishop of Galway.

The Brief of Clement XII, *Redemptoris,* embodying the recommendations of the bishop of Limerick was issued on 21st April 1733, and forwarded by the nuncio on 17th August to the bishop of Limerick for execution. This execution would seem to have been effected by the bishop in Galway in November 1733. One would expect that with this clear, simple, mutually-agreed legal instrument, this particular Galway dispute would have ended; but no. There were further disputes within a few weeks when the archbishop went to Galway on visitation and found that the warden continued to obstruct him. How the problem at this particular juncture was solved is not recorded but the archbishops, now supported by the written law, did eventually succeed in having their minimum rights recognised by a grudging and ever-vigilant Galway, lay and clerical.

In the wardenship, dispute followed dispute in rapid succession. The end of one dispute usually marked the fresh flare-up of another, which had been simmering for some time. When the Galway families had seized control of the electoral machinery, they were at a disadvantage in having a doubtful right to their claim and in not having any fixed laws of procedure determined by a higher authority. When a dispute arose, there was no acceptable person to whom they would gladly have gone for arbitration. It was alleged now, that different families combined to have specific candidates elected. Thus two or more Tribal families would agree to support the nomination of one candidate in return for the support of another candidate at the subsequent election.

One such case was the alleged dishonest behaviour at an election in March 1735. It was claimed that friends of Andrew Lynch combined with friends of Andrew Kirwan to have the latter elected on condition that Kirwan's supporters would vote for Lynch at the next election. Anthony Blake, a defeated candidate, appealed to the archbishop of

Tuam, who found in his favour. In 1736 Hyacinth Bodkin unsuccessfully challenged the validity of a 1730 election.

The most serious trouble, however, arose out of the election of warden in 1737. As Patrick Bermingham did not offer himself for re-election there were two candidates, Rev. Dr. Mark Kirwan and Rev. Hyacinth Bodkin. A dispute arose at the election, which, it seems, was not held at a fixed hour, but throughout the day, when people called to register their preference. The voting right of certain persons was questioned; some of the non-Tribes had insisted on being allowed to vote. At the end of the day's voting, Fr. Bodkin had won by a majority of about fourteen votes.

Later, however, supporters of Dr. Kirwan had insisted on delaying the announcement of the result, pending a scrutiny of the ballot papers. Thirty non-Tribe votes were disallowed, which led to a reversal of the first result and Dr. Kirwan was declared elected. Hyacinth Bodkin, suspecting that the outcome was the result of a plot to deprive him of office, appealed to the archbishop of Tuam and so began four years of obstinate and bitter litigation.

The archbishop was slow to act; he hoped the dispute might be settled without having to go through the full process of the law. But eventually, he was obliged to try the case. The process opened in Galway on 26th November in what was "commonly called the Priests' Chappell". There was much legal argumentation as to the right of the archbishop to judge the case since it had never been tried in a lower court. The archbishop, however, had no doubt about his own competence and gave judgement on 12th December in favour of Bodkin. Kirwan and his supporters now issued a formal protest against the decision, and on 19th December appealed to the nuncio in Brussels.

The nuncio, Archbishop Tempi, who favoured the continuation of the Galway privileges, appointed Bishop Archdeacon of Killala, John Duffy V.G. Achonry and Walter Kelly, P.P. Athlone to try the case. The Galway parties made careful preparations which included a meeting with the nuncio by Galway Tribal merchants living in the Low Countries. When the case opened on 20th November 1738, the bishop of Killala was unable to be present because of illness. The trial does not seem to have been peaceful; it was adjourned without a decision being given. When the case reopened in February, 1739 the bishop of Killala had died; neverthe-

less, the taking of evidence was continued but again, no verdict was reached. In March, Patrick Gaffry, V.G. Elphin was appointed to replace the late bishop of Killala on the commission. Meanwhile, the Galway party sought legal opinion from eminent lawyers in Louvain.

The protracted trial was resumed in the Augustinian monastery, Ballyhaunis, on 1st August 1739, with the judges determined to bring the case to a speedy conclusion. A decision was quickly given in favour of Hyacinth Bodkin; he was to be instituted within eight days. Two further years of dispute concerning the costs of the trial ended again in favour of Warden Bodkin.

The college was now sadly divided, torn by the legacy of bitter memories left by these disputes. Neither was there an improvement in the relationship with the archbishop of Tuam, who was, as some Galway people were ready to believe, determined to avail himself of this opportunity to end the Galway collegiate exemptions. It is true that Archbishop O'Gara rigorously exercised his legal rights but there is no evidence that he planned to end the privileges. His memory lived on as an enemy of Galway and a later warden was to describe this episode as "the great attack of Archbishop O'Gara".

The wardenship succession is somewhat confused after the ending of the above disputes. The victorious Hyacinth Bodkin was still warden in August 1741; yet, the vanquished Mark Kirwan was warden in August 1742. About 1749 Anthony Blake succeeded at a time of relative calm in the college. This internal peace coincided with the country's improving political and economic condition which made possible the erection of a new Catholic collegiate church of St. Nicholas, about 1752.

When Anthony Blake was appointed bishop of Ardagh on 11th August 1756, he was succeeded as warden by Francis Kirwan. Relations with Tuam seem to have been fairly good, possibly because the archbishop, Mark Skerrett was of a Tribal family. This prelate remained in close touch with the Galway families as he resided at Annaghdown, close to his own immediate relatives at Ballinduff. There is no record of any serious trouble up to the death of Warden Kirwan in 1771.

The succeeding warden was John Joyce. He and the archbishop were personally very friendly and made an effort to maintain cordial relations

between Tuam and Galway. Problems, however, arose between them which caused some degree of estrangement. The question of parochial boundaries in the Connemara part of the wardenship was the main source of conflict. These had never been satisfactorily outlined and in trying to bring about a settlement, the questions of the exemption of Galway and the authority of the archbishop again came to the fore. Archbishop Skerrett, writing to Warden Joyce in 1780, stated: "If your chapter will seriously reflect on the late Bull, you'll find it was intended to settle and establish perpetual union and friendship between the see of Tuam and Galway". He concluded with a pleasing post-script: "Be assured that ye Wardns dispute with ye ABishop will never lessen M Skerrett's love and esteem for J. Joyes". The archbishop felt it was his duty to defend the rights given to his care, and regretted that his successors might have to struggle to maintain settlements made long ago.

This was true, in particular, with regard to the triennial visitation by the archbishop. Galway always insisted on the strict letter of the law being fulfilled. Dr. Skerrett found that, perhaps due to old age, he was unable to carry out the visitation of Galway, personally, in 1782. He proposed that Fr. Thomas Kirwan and another priest deputise for him but this did not meet with the agreement of the college. On 9th November 1782 the warden informed the archbishop that, while the college held Fr. Kirwan in the highest esteem as a very worthy cleric and while they knew the archbishop to be a defender of the Galway privileges, they felt obliged in conscience to point out that his present proposal would violate the 1733 settlement. As there was no mention then of visitation by delegate, such an innovation would wound their privileges and place a bone of contention between them. The letter concluded: "We'll, however, cheerfully receive them as friends on Tuesday next, the day pointed out for your visitation where we expect the honour of the Primate's and Doctor Killikelly's company and where we may more amply confer on the matter".

A further letter indicates the real problem; the lay patrons would object strenuously if the delegates were received, as it would be an alienation of their rights. The best solution, the warden suggested, was to submit the matter to Rome and the college would gladly submit to any decision from there. The matter would seem to have been referred to Valentine Bodkin, one of the vicars, then resident in Rome, but the subsequent outcome is not known.

Augustine Kirwan, the next warden, was instituted on 27th March 1783. He had further boundary problems with Tuam. This time it concerned the Oughterard-Killanin border but an agreement seems to have been reached in 1786.

The regular-secular dispute began again in 1785. The complaint now was that the secular clergy exerted all their influence so that funerals would be held only in their own churches; they had told the people that the religious orders had no right to funeral oblations. Having appealed in vain to Warden Kirwan, the regulars took their case before a provincial synod at Ballina. When two bishops who were asked to intervene, declined to do so, the dispute was referred to Rome. Before any decision was arrived at there, the seculars proposed an amicable settlement in 1790, which led to a period of peace.

At the death of Warden Kirwan in 1791, there was relative peace. Galway's independence was established, and the limited jurisdiction exercised by Tuam, was strictly confined within the letter of the legal agreement. The lay patrons maintained constant vigilance, jealously guarding the rights of the wardenship against any effort of the archbishop to extend his jurisdiction. Whenever the archbishop was satisfied to accept the situation and the limitations imposed by it there was relative peace, in spite of the smouldering friction which remained. Sometimes this friction was kindled into a dispute concerning the parochial boundaries, while the warden's great and obvious lack of authority was a constant source of temptation to the archbishop to intervene and restore order. The temptation, occasionally, proved too strong, when in the regular-secular disputes, the regulars appealed to the archbishop. This perfectly legal intervention offended the seculars and friction continued as before.

There had been an extraordinary lull in the demand for electoral rights by the non-Tribes since the great dispute on 1737-41. Most likely, the non-Tribes continued to be dissatisfied, and this dissatisfaction must have increased during the second half of the century. It came to a head on the death of Kirwan and started a new series of disputes which continued almost without intermission until 1831.

By 1791, the faggots, which would burst into flames over the next forty years, were piled high. Three issues were particularly inflammatory:

firstly, the demand by the non-Tribes for electoral rights; secondly, the jurisdiction of the archbishop and the lack of authority of the warden; thirdly, the continuing dispute between the regular and secular clergy.

These were the sources of the blazing conflicts during the last years of the life of the college. Eventually they made the maintenance of privilege impossible and led to the extinction of the wardenship.

CHAPTER TWO

TRIBE v NON-TRIBE (1791-1798)

The death of Warden Kirwan was merely the immediate cause of renewed agitation. There was a country-wide move for other freedoms as a result of the American revolution and especially, the French revolution. These struggles at home and abroad were followed with great interest in Galway; their immediate local effect was to cause agitation for municipal reform both in the legal corporation and its Catholic counterpart.

There was, in general, an enthusiastic welcome in Ireland for the French revolution. While not every aspect of it met with universal approval – people were shocked by the deaths of the king and queen and by the treatment of religion – yet the wide extent of the electoral franchise and the establishment of religious equality commanded much respect. The revolution as a whole was regarded as the apotheosis of liberty. These changes in France made the progressive element in Ireland more determined than ever to further reforms. The Government felt it was wise to pass a relief bill in 1792, although efforts to secure the vote for Catholics, failed.

The progress of the revolutionary armies and the war with France caused the Government to change its mind. A bill was presented in 1793 admitting Catholics to parliamentary and municipal franchise, although yet excluded from parliamentary membership. Thus Catholics could now become freemen of town corporations. Yet there was much need for further reforms both in local and national government.

Galway's legal corporation was in need of reform. It was decidedly Protestant and had been for many years in the control of the Daly family. From 1770 to 1820 every mayor of Galway, except one, bore the name Daly. Despite agitation, the Daly family retained control because of their

power to nominate non-resident freemen. It took a long struggle to bring about reform, which struggle continued for over forty years. In the struggle for reform, the people of Galway were very conscious that many of the abuses in the legal corporation were also to be found in the Catholic corporation, e.g. a privileged class, often non-resident voters, hereditary 'rights' without legal basis. The struggle for reform in the legal corporation, without doubt, influenced and encouraged those seeking reform of the Catholic corporation.

Galway, with its long religious and commercial relationship with continental Europe, followed the struggle in France with great interest. The Galway families, with their instincts for law and order and their mercantile conservatism, were hardly enthusiastic about many of the acts of the revolutionaries. Still less favourable would have been the members of the college, if only because much of their endowment was lost in the revolution. Many of the clergy of Galway had been educated in France and were royalist in sympathy. Religious services were held in Galway to mark the deaths of the king and queen.

Nevertheless Galway was influenced by many of the reforming ideas which the revolutionaries had brought to a head. Leading members of the Tribes and non-Tribes signed a petition for reform to the Lord Lieutenant at the end of 1791. In January and October 1792, meetings were held in Galway by Catholics, when the right to vote for the legal corporation was demanded. A prominent speaker at the October meeting was Andrew French of Rahoon, a Tribesman. This was to be the pattern in the subsequent struggle. While the Tribes were in the forefront in the demand for the reform of the legal corporation, they displayed much less enthusiasm for the reform of their own Catholic corporation. This was to be the subject of frequent critical comment when many of the similar features of the Catholic corporation, especially that of non-resident voters, became the subject of agitation.

Warden Augustine Kirwan died on Sunday, 7th August 1791. Walter Blake, vicar, P.P. Oranmore, was chosen vicar-capitular on the following Wednesday. Fathers John Joyce, Walter Blake, Denis Mannin, Francis Blake, Bartholomew Burke and Patrick Kirwan were present. It emerged that, despite repeated ballots, the voters were 3-3. It was then decided to pick one name by lot and the chosen one then lost his right to vote. Denis Mannin was excluded and Walter Blake was chosen, securing four

votes. Mannin then declared him elected unanimously. A general meeting of interested parties took place on 14th August to discuss the question of voting rights. The majority of those present appear to have been non-Tribes, but some of the Tribes were also there. It was the contention of the meeting that the charter granted by James II, by which a corporation composed of Tribe and non-Tribe, was elected on 22nd March 1688, had since lain dormant. The Catholic corporation was now deemed lapsed as no mayor had been elected for some years. Although it was secretly decided to elect a corporation composed of Tribe and non-Tribe, no action appears to have been taken. Instead, the meeting was adjourned until 18th August and postponed again until Sunday, 21st August.

James Morris, a prominent Tribesman, who was present at the meeting of 14th August, informed the Tribes of the secret proposal to elect a corporation. At once, they set to work, lest, unawares, they should be deprived of their ancient rights. They intended to seize the initiative in their plans to remodel the Catholic corporation.

The Tribes met in the parish chapel on Wednesday, 17th August, and chose the following officials of the Catholic corporation:

Gregory French	Mayor
John A. Kirwan Walter T. Joyce	Sheriffs
James P. Morris	Recorder
John A. Lynch	Town Clerk

It was arranged that, in future, Catholic municipal officers would be elected annually so that the corporation would not be again found without a mayor, prior to a college election. There is no sign of any reform in those chosen to municipal offices; in fact it was claimed that James Morris was elected because he had revealed the plan to elect a second unofficial corporation. It was arranged that twenty non-Tribe gentlemen be admitted to the freedom of the Catholic Tribal corporation on the nomination of the Galway Families. This offer was indignantly rejected by the great majority of the non-Tribes; only eleven persons are known to have

accepted. The non-Tribes requested that the whole question be investigated by competent lawyers and theologians but this was firmly rejected by the Tribes.

Now provided with a Catholic corporation, the Tribes proceeded to vote for a new warden. Two candidates, John Joyce and Patrick Kirwan stood for election. There was canvassing – in favour of Joyce, and it was later alleged that he promised a canonry to a Patrick Lynch, a regular, if he persuaded his brother to vote for him in the election. The election took place behind closed doors and with sentinels posted. Joyce was chosen by 114 votes to 44 for Kirwan; most of Joyce's support was non-resident. Several of the non-Tribes attended and protested against the illegal proceedings of a number of people who called themselves "the thirteen Tribes of Galway".

The non-Tribes met on Sunday, 21st August, to give further consideration to recent happenings. Among those present were Roger O'Shaughnessy, James Burke, Walter Burke, Daniel Griffin, Martin Horan and Robert Adams, all of whom had rejected the Tribal offer. A reason for this rejection was the allegation that the offer was only a trick. Nicholas Nolan, a relative or a 'half-tribe', had assured them that, if they voted, an 'S' would be put before their names and the vote would be eventually rejected by the electoral scrutineers. Because of this, Nolan no longer voted at Tribal elections but had joined forces with the non-Tribes.

This meeting now elected a non-Tribe 'corporation', including among its officials, some of those who had rejected the Tribal offer. The officials were:

Walter Burke	Mayor
James Burke	Recorder
Walter O'Flaherty Robert Power	Sheriffs
John E. Burke	Town Clerk
Roger O'Connor	Chamberlain

Twenty-two persons formed a council and two-hundred were admitted to the freedom of the corporation.

The legal principle for establishing the corporation was that, although the Protestant legal corporation could not elect Catholic members to the college, canon law did not deprive them of the power to delegate their electoral rights to a body of Catholics; the pope had never formally withdrawn the legal corporation's privileges from where it was originally deposited. This reasoning may have been an afterthought as not till 8th September did the Galway legal corporation formally delegate its authority. Its act was rather one of "sanation"; it ratified, confirmed and approved of the acts of the non-Tribe corporation and guaranteed to do so for the future. It was signed by:

James Shee	Deputy Mayor
James O'Hara	Recorder
Robert Squibb John Bradley	Bailiffs

This delegation of power was to be a serious embarrassment to the Tribes and to their representative in Rome.

The non-Tribes gave notice that, in the parish chapel on 10th September they would proceed to the election of a warden in place of the late Warden Kirwan.

On the day arranged, the non-Tribe corporation went to the parish chapel but they were refused admission. The Protestants offered the use of their collegiate church but for the sake of peace, and in order to avoid scandal, this invitation was declined. Instead, they went to the Augustinian chapel, as the fathers were on friendly terms with them. Two Augustinians in particular were very helpful: Fr. Brennan, the Prior, and Fr. George Staunton, the Provincial, whom the Tribes feared because he was related to the archbishop of Tuam.

The non-Tribes chose Denis Mannin as warden and Andrew Kenny as vicar in his place. Both men declined the honour as they considered the elections invalid without the sanction of the Holy See. Possibly in the hope of intervention by higher authority, the non-Tribes warned the Tribes not to institute a new warden pending the hearing of their complaint at a superior tribunal. But the Tribes ignored the request and on 12th September presented John Joyce for institution as warden.

The Tribal college now invited the non-Tribes to a meeting in the parish chapel but this was indignantly rejected owing to their being refused admission on the occasion of the non-Tribe election. Writing to the vicar-capitular on 18th September they thus refused to recognise the newly-instituted warden and protested against the institution of 12th September: "Your mandate to us parishioners, delivered to our officers, is as futile and absurd, commanding us to appear before you at the parish chapel where you refused us entrance, and shut the doors against us which stands unprecedented". They gave formal notice that they intended to take the matter to higher authority.

The non-Tribes met again in the Augustinian chapel, on 25th September and framed resolutions later sent to Rome:

1. That the Bull of Innocent VIII had been shamelessly perverted by the thirteen Tribes and by the clergy of their appointment.
2. That since they had been denied access to the parish chapel, they would in future attend some other Galway chapel.
3. That since the college priests had been so partial towards the Tribes, the support of the clergy, in future, would be left to the Galway Families.

Several other meetings were held at which violent statements were made. A deputation of non-Tribes waited on the archbishop of Tuam, offering to surrender to him the college privileges. This, he at first refused; but later, it was said, he secretly favoured the proceedings and when the case went to Rome, promoted it with all his influence. The Roman documentation, however, does not substantiate this local rumour.

The outcome of the non-Tribe resolutions is not clear. There was some alienation of the non-Tribes from the secular clergy, although there is no evidence of wide-spread divisions. There was a formal schism which was remembered as a major scandal. The warden was very perturbed by what another writer called a "temporary schism". Some of the non-Tribes refused to accept the spiritual ministrations of Warden Joyce and his vicars and remained away from the sacraments for three years. Both sides now prepared to submit the dispute to Rome, Fr. Philip Creane O.S.A. of the monastery of San Matteo, Via Merulana, Rome, represented the non-Tribes, while Fr. Valentine Bodkin, to whom reference has already been made, represented the Tribes.

Preparations continued into the new year. The Tribes, stating that others had already corresponded with Rome, opposing them, wrote to Cardinal Antonelli, on 3rd February 1792, to stress the justice of their claim to privilege. They emphasised that they were the descendants of the Anglo-Norman colony who had built the town and the church of St. Nicholas. They had been given corporate status by various kings of England, copies of which charters they were enclosing. These zealous and virtuous ancestors had passed on their rights to their children. Their modern descendants had provided a new parish chapel as well as convents for the Franciscans, Dominicans and Augustinians. In addition, they had established an endowment in Paris for the maintenance of the college and up to the present day, they were the chief support of the clergy.

The Bull of Pope Innocent, they explained, was obtained "at great cost and not a little trouble", as was clear from the entries in the corporation records of 1485 in their possession. It was to the Tribal families alone, that the privileges had been given, although in the course of time the privileges were extended to a few other respectable Catholic families because of relationship or friendship. This immemorial custom was now being challenged despite the fact that subsequent documents in their possession confirmed the grant.

The Tribes then complained of the conduct of their opponents who, immediately on the death of Warden Kirwan, had called a meeting in the Protestant Town Hall by a notice in the public press. They had later met in the Augustinian chapel "with a large gathering of the lowest citizens"; here they had offered the wardenship to Fr. William Burke, curate to the late warden, but he refused. They then offered the post to Archbishop Egan of Tuam, an enemy of the Tribes. When eventually they elected Denis Mannin and Andrew Kenny, both had refused. The non-Tribes were now giving money to Fr. George Staunton O.S.A., Provincial, and to Fr. James Brennan, O.S.A. In accepting this money, these priests were depriving the secular clergy of their dues. They asked the Roman authorities to defend the Tribal rights and ended by praising the present members of the college. It was signed by 223 persons.

Valentine Bodkin presented this letter to the Propaganda in March 1792. He also presented a lengthy memorandum on the Galway question at the request of the Congregation officials. In this document he made no secret of his Tribal sympathies, and knowing, no doubt, that it would

strike a responsive chord, depicted the Galway troubles as an extension of the French revolution. In a rather simplified version of the town history, he explained how the original grant had been made to the Galway Families but that in the past, and again recently, other leading Galwaymen had been admitted to freedom. He insisted that these arrangements had been confirmed by Rome in 1733, which confirmation had been well deserved in view of the loyalty of the Galway Families to their religion, down the centuries.

The description of these families as "fallen into misery, the remnant of a dispersed English colony", had been sent to their Eminences; this he said, was untrue. They were wealthy and up to 150 persons voted. They had always chosen worthy priests. The question now was, did the privileges belong to all citizens or just to the few Tribal families. Bodkin proved to his satisfaction that the right belonged exclusively to the "Families".

The objection that the Tribes were then "poor and only the impoverished remnant of a former English colony now reduced to nothing" was unfair, he stated. True, they had lost much in the Cromwellian persecution and because of their loyalty to the Stuarts. They were noted for their constancy to the faith and as a result they lost much of their property. But their Eminences would not judge by wordly wealth; they would consider integrity of character, religious orthodoxy and goodness of life as ample compensation for a certain lack of wealth. Some of the Tribes were still rich and had gained wealth through commerce in Ireland and in England. Almost all the land around Galway was still owned by the Tribes or by the families co-opted by them. Only two or three of the electors did not have property in the vicinity of Galway.

The chief non-Tribe objection, the report continued, was that the charter of James II had put an end to previous papal grants. Because of this, the non-Tribes had begun agitation against the Galway Families "similar to the more recent French tumults". The proof that the original grant was for the tribes only, was that it was given to ensure an *English* liturgy; on the admission of their adversaries they were *English;* therefore the grant was for their benefit. It was contrary to theology and canon law for anybody else to invade the right. The means employed by the non-Tribes were similar to those of the French revolution, despite the long record of fidelity and perseverence of all who shared the privil-

eges. Galway had a wonderful history in which the Tribes had played an outstanding part. They were still very prominent in the affairs of the town.

The non-Tribes had come under the influence of Protestants and Freemason Lodges. Much of the trouble could be traced to these sources and also to the Augustinians, who in the past had profited so much from Tribal generosity. He warned about the hostility of the archbishop of Tuam and explained how unfair to the Tribes any intervention by him would be. The Protestant legal corporation was partly to blame for this trouble. For all these reasons, the Tribes were most worthy to continue in the enjoyment of their privileges as, in fact, the Propaganda had already decided in 1733. The Galway Franciscans and Dominicans were of the same opinion; Denis Mannin and Andrew Kenny took a similar view by their indignant rejection of the proferred honours.

Since no statement from the non-Tribes had reached Rome, the Congregation wrote to the archbishop of Tuam on 31st March. Dr. Egan stated, in his reply, that he was quite sure that the original grant of Archbishop O'Murray had been to all the parishioners of St. Nicholas's and not to selected families. It therefore followed that the rights were given to the citizens of Galway without any distinction of name. He failed to understand why the Tribes seized this common right as if it were private property, and granted it to people who were not of the town at all. Meanwhile the ordinary Galway citizens, who were the main support of the Church, had no say in elections. No wonder then, continued the archbishop, that they were not prepared to endure this any longer; they were now refusing to support the clergy until the matter was settled. The archbishop's recommendation was that electoral rights be granted to notable residents in the wardenship without any distinction of Tribe or non-Tribe. He asked for an immediate ruling that Tribal origin was not required in candidates for election to the college.

A plenary session of the Propaganda of 11th June 1792 was asked to decide:

1. Did the right of presentation to the college belong to the Tribes only, or to the non-Tribes as well?
2. Was Tribal origin necessary for office in the college?
3. What was to be said of the two wardens chosen?

It was decided that the *status quo* be maintained: that the right of presen-

tation remain with the mayor, sheriffs and *pares* of Galway as granted by Pope Innocent VIII. John Joyce was confirmed in his position as warden for three years, to be computed from the day of his election. At the end of three years, Bishop Gerard Teahan of Kerry, as delegate of the Holy See, would go to Galway to help maintain peace and see that scandal was avoided. It was further decreed that Tribal origin was not necessary for election to the college. The decree received papal approval on 17th June.

The wording of the document would seem to indicate that the Roman authorities did not understand the case of Galway, nor did Dr. Bodkin explain it to them. Fr. Creane, the non-Tribe agent, was, as definitor of his Province, absent at a General Chapter of Augustinians in Bologna at this time and so had no opportunity to clarify the issues involved or seek clarification of the decision given. The situation caused by the three Galway corporations led to confusion and a decision capable of different interpretations. The outcome was an even more confused position in Galway.

One slight change was made in what was decreed. It would seem that the Congregation was also not aware that the Tribes insisted rigorously on holding an election every three years. When a warden died in office, his successor was elected only to complete the term of office of the deceased. Perhaps, Valentine Bodkin warned the Propaganda that in the normal course of events, another election was due in August 1792. Because of this, it was decided, with the pope's approval, that Bishop Teahan would be in Galway in August to supervise proceedings in the name of the Holy See. He was instructed to protect the Tribal privileges but, if trouble arose, he was empowered to confer the wardenship on any suitable priest of his own choosing. This appointment would be effective until such time as the Holy See should decide otherwise.

This was clearly a facile victory for the Tribes and for their representative, Valentine Bodkin, ever watchful of the Tribal interests. Well aware of the courtesies which were appreciated in the Roman curia and which might later be of help, Bodkin sent, in July, a draft letter of thanks to the Tribal leaders to be signed by them and forwarded to the Cardinal Prefect of Propaganda. It is a shrewd and in some ways naive composition, written by one who had a close knowledge of the Roman mind. It informed Cardinal Antonelli of their delight at the good news received from their

dean, Fr. Bodkin, who for eight years was a most beloved pastor of theirs in Galway. They rejoiced that the Congregation was intervening to protect their rights. The good news was received with great delight by 20,000 people in Galway and even by the Protestants. Suggesting that a few ambitious people motivated by French revolutionary ideals were causing the trouble, they assured Cardinal Antonelli that they would receive the bishop of Kerry with open arms in the knowledge that justice would be done to them by the Congregation. The letter was interspersed with praise of Bodkin and fulsome tributes to the cardinal: he who was famed not alone in Ireland but in the whole Catholic world, would defend the Tribal rights from those who would try to usurp them.

As the first of August approached, the non-Tribes determined to insist on reform, notwithstanding the Roman decree. The following notice was published:

> The Merchants, Traders and principal R.C. Inhabitants of the Town of Galway are requested to meet at the Augustinian Chapel on Sunday next, at 2 o'clock in the afternoon, to consider of a proper person to be chosen Titular Warden on Wednesday, the first of August, and on other material business. For the united citizens of Galway are determined to promote liberality of sentiment, unity and peace on real Christian principles, justice and equity.
> July 1792 John Burke Edmd sig.

On 26th July 1792 a long letter was published in the *Dublin Evening Post* signed by "An Inhabitant of Galway for myself and the non-Tribes". The writer condemned the Tribes for collecting money from a foreign power; it was their intention to deprive some of their fellow-townsmen of the right of citizenship. Was, he asked, the original grant *personal* or *local?* He condemned the non-resident voters in particular who showed scant interest in the clergy and did not support them. The writer suggested that to avoid trouble the Catholic Committee should intervene. Otherwise it would be said that Galway Catholics were not ready for emancipation, when the little power they had was abused.

There is no evidence that the non-Tribes meeting, called for Sunday, 29th July, ever took place. Perhaps the bishop of Kerry, who arrived in Galway on Sunday, persuaded them from holding it. Dr. Teahan, who was joined by the archbishop of Tuam, heard both sides before he exe-

cuted the Roman decree which confirmed the Tribes in their privileges. The non-Tribes showed the visiting prelates the corporation records in proof of their claim that the Tribes were in illegal possession of the privileges. The non-Tribes accepted the Roman decrees for the present, but they were determined to appeal the case further.

The bishop of Kerry confirmed John Joyce as warden, after he had been unanimously re-elected by the Tribes.

This means of institution was unusual; normally institution would have been the right of the vicars. With a hankering after legalisms and rights, that was typical in the wardenship, the very displeased vicars made a formal written protest. They declared that the bishop had acted beyond the powers granted to him by the Holy See. Institution by the vicars, rather than confirmation by the bishop, was the accepted legal means of entering into office by the warden. Nothing more was heard of this. The bishop of Kerry, in a report to Rome from Galway on 6th August, announced the successful outcome of his mission and expressed his appreciation of the help given by the archbishop of Tuam.

The non-Tribes were not prepared to accept this outcome without further representations. Already on 4th August they had sent protests to the archbishop of Tuam and to the bishop of Kerry. They stated their willingness to submit their dispute to the decision of the two prelates. Should the Tribes be willing to submit their case, the non-Tribes hoped that the Visitors would transmit the non-Tribe case to Rome. As matters stood, it were better that nobody had privileges, as they led only to disunity. They obediently accepted the papal decision but wished now to have the case re-opened. Their proposal was that Tribes and non-Tribes be united to form one corporation having power to admit new members without consideration of name. They forwarded documentary evidence from the corporation records of 1685-90 to show that the then Catholic corporation was not confined to the Tribes. They produced evidence of Tribal petitions for municipal freedom which showed they were not born 'free'. They repeated their previous contention that the corporation charter of 25th September 1687 invalidated all previous ones. Under this charter, Tribes and non-Tribes had been admitted to the freedom of the corporation. They held that the charter had lain dormant until 14th August 1791, when the non-Tribes revived it by permission of the legal corporation under the seal of the town of

Galway. The Tribal corporation had been revived only when they heard of the activity of the non-Tribes. Previously the non-Tribes had been unable to insist on their rights because of the penal laws.

Later, when the two bishops had left Galway, the non-Tribes found further evidence for their views in a book entitled *'Concerning the Magistracy'* which was found in the corporation archives. It showed that from 1486 to recent times non-Tribes were admitted to freedom of the corporation. For some months after these events, there seems to have been a lull in the disputes, as both sides prepared to continue the struggle before a Roman tribunal.

The bishops do not seem to have forwarded the documents to Rome as requested. For years afterwards, in fact, the non-Tribe case did not reach the Propaganda. Their agent in Rome, Fr. Creane, also failed to submit their case. He claimed it was difficult to collect all the documents. Fr. Bodkin, however, claimed that Fr. Creane deliberately delayed, in the hope that he, Bodkin, would leave for home because of the disturbed state of Europe. There would be a better chance of success in the absence of the able and influential Bodkin.

The bishop of Kerry, although he failed to transmit the non-Tribe case to Rome, did not relax his efforts to effect a permanent settlement. Writing to Bodkin in Rome on 2nd April 1793, he forwarded certain recommendations which might prove to be a basis for a settlement. He spoke highly of the goodness and hospitality of the Tribes as well as their zeal for religion. He expressed disapproval of the actions taken by the non-Tribes. Describing the Tribes in very laudatory terms, he stated that they who exercised their rights in such a responsible manner and with such benefit to religion must be treated with justice. Bodkin, replying on 29th June, stated that he was forwarding at once the bishop's suggestions to Galway with a note of recommendation. Rome had made no move yet in the dispute, he added. Dr. Bodkin published this very partial letter from Dr. Teahan to strengthen the Tribal case with the Propaganda. He claimed that, though the letter was confidential, he had permission to publish it. The bishop was very annoyed by what he considered a breach of trust and seems to have had no further dealings with Bodkin.

In May 1793 the non-Tribes were also preparing their case by taking

sworn information concerning corrupt Tribal electoral practices. Political developments were bringing radical changes in the Galway scene. At last the democratic ideals of the French revolution were finding expression in the institutions of local government in Ireland. By a law of 9th April 1793 Catholics were entitled to admission as freemen of the corporation. In October 1793 the first Galway Catholic freemen were admitted and by 29th April 1794, 295 freemen were admitted of whom only 21 bore Tribal names.

This new development further complicated an already complex situation as there were now in Galway:

1. The legal corporation with an increasing number of Catholic freemen, mainly non-Tribes.
2. The Catholic Tribal Corporation.
3. The Catholic non-Tribal corporation.

Many of the members of the latter group were also freemen of the town legal corporation. This new development gave them extra vigour and courage in pressing their claims. While some of the Tribes were perturbed by the happenings, Rome does not seem to have been unduly worried; in fact one gets the impression again at this juncture, that the Propaganda did not appreciate the involved nature of affairs in Galway. A case could now be made for the opinion that only the new Catholic freemen of the legal corporation had voting rights, since the original grant was made to that body. The delegated authority of the legal corporation to the non-Tribe body in 1791 now had added point. Valentine Bodkin was well aware of this and stressed to the Roman authorities how Protestant the legal corporation still was.

The archbishop of Tuam saw the significance of the new situation after a visit to Galway late in 1793. He had discussions with the non-Tribes and found them expecting a decision in their favour from Rome. Writing to the Propaganda on 11th December, he explained that since many non-Tribe Catholics were freemen of the legal corporation, a situation had come about which was in keeping with the original grant. He stressed that every single prelate with whom he had discussed the matter favoured the extension of the electoral rights to the non-Tribes.

Rome had confirmed Joyce in his office for three years from the time of his election (1791). Because of this, another election would

be due, by Roman computation, in August 1794 (but by Tribal computation, not till 1795). Writing to Bishop Teahan on 2nd July, Cardinal Antonelli reminded him of the 1792 decision requiring him to go to Galway for the 1794 election. Again he was empowered to choose as warden "any suitable priest" who would then hold office "as long as the Holy See desired", while both sides would submit their respective cases to the Holy See.

Fr. Creane O.S.A. wrote to the non-Tribes on 5th July, to inform them that the bishop of Kerry was soon due in Galway. He told them they would be well advised to continue in a state of tranquillity and to avoid all proceedings of election or otherwise until the bishop arrived. Dr. Teahan had full authority to settle matters between Tribes and non-Tribes.

From now on, it will be noted, little more is heard of the non-Tribe corporation. Now that they legal standing in the community, those non-Tribes who had secured the freedom of the legal corporation, were leaders in the struggle against the Tribes. They described themselves as "Catholic freemen and free burgesses of the legal and established corporation of Galway".

The bishop of Kerry had not arrived on the first of August. The non-Tribes kept a close look-out on that day for any movement by the Tribes. Since the electors had not published any notice, the non-Tribes thought that they, too, would await the arrival of the bishop. But shortly afterwards they were very annoyed to discover that the electors had met in a private house and there secretly re-elected Warden Joyce. The non-Tribes looked on this election as both unfair and illegal and had difficulty in persuading the parishioners to desist from violent proceedings until they would hear from Dr. Teahan. They served notice on the vicars, calling on them not to institute the re-elected warden and sent a copy to Dr. Teahan, on 5th August, even though he was hourly expected in Galway. With this copy, they sent an explanatory letter in which they emphatically stated their objections to what had happened: "Our warden he cannot be, nor will we or our children ever submit to his jurisdiction or such illegal appointment".

The letter which was signed by six Catholic freemen of the legal corporation, claimed that Rome had in the provisional decree (of 1792)

positively admitted the right of election to be in the legal corporation. They would have proceeded to the election but, on the advice of their Roman agent and out of deference to the bishop, they had delayed. The deceitful trick of the Tribes had all but led to violence in the town. They appealed to the bishop "in the name of God and for peace sake" to intervene and thus prevent confusion and anarchy. He could use the powers vested in him to appoint even a temporary warden in order to afford them the opportunity of performing their religious duties from which they had been debarred for three years. Andrew Kenny would be an acceptable temporary warden.

When Bishop Teahan eventually reached Galway, the Tribal patrons protested against the promulgation of his commission as they claimed it was the fraudulent fabrication of interested persons and it would upset the peace and harmony of the town. This action was afterwards complained of by the non-Tribes as an attempt to resist the spiritual authority of the pope. Despite this protest, the bishop read his commission and exhorted the parties to peace and good fellowship.

He spoke of the scandal caused by the disputes and asked them to lay aside their animosities and await in respectful submission the decision of the Holy See. Dr. Teahan was of the opinion that a number of non-Tribes should be admitted to the enjoyment of the privileges, these persons to be chosen by the non-Tribes themselves. He was also of the opinion that there should be a reduction in the number of non-resident voters. Peace was then made between the parties on the understanding that Warden Joyce would be inducted for only one year while the case was pending.

It seems surprising that to date no formal proposal had been made to give the wardenship a bishop and normal diocesan government. However now, one person at least, was thinking along those lines. Edward Dillon was appointed coadjutor bishop of Kilmacduagh and Kilfenora to the ailing Dr. Laurence Nihell on 2nd December 1793, and was consecrated by Archbishop Egan of Tuam on 18th May 1794. Poverty was a constant problem for the bishop of those two dioceses; it was particularly urgent now when there were two bishops to maintain. Both bishops followed the Galway disputes with interest, Dr. Dillon in particular, since he was related to many of the Galway Families.

Bishop Teahan had called on Dr. Nihell, who resided at Ennis, on his way to Galway. After the bishop of Kerry had concluded his visit to Galway, Dr. Nihell wrote to Archbishop Bray, of Cashel, that the mission was a failure as both parties were obstinate and animated against each other. He reported to him what was being openly discussed in Galway. The non-Tribes, the most numerous and wealthiest section of the community, were anxious to have the area united to some neighbouring episcopal see rather than remain under the present Tribal administration. They regarded it as unjust that non-residents could vote, while they, the popular party, were denied any say.

Dr. Nihell stated that because of the danger of schism, the Galway dispute should be a matter for concern to all bishops. Should the wardenship be suppressed, Tuam, for historical reasons, would have grounds for claiming it. But while Tuam was interested in acquiring the area, the territory of Kilmacduagh and Kilfenora needed it, being unable to support even one bishop. His own income did not make up one half of his necessary expenditure; he had to rely on his family to subsist. Geographically, the union of Kilmacduagh and Kilfenora with Galway would be very suitable. Dr. Nihell felt that Bishop Teahan and all the Munster bishops would support his proposal. He asked the archbishop of Cashel for his views on the matter and said he was also writing to Archbishop Troy of Dublin.

This poverty was very real. On 3rd March 1795 the bishop of Kilmacduagh and Kilfenora was granted permission by Rome on the grounds of poverty to accept an offering when granting a marriage dispensation. He had no mensal parish (a parish from which he would be entitled to receive a portion of the revenue). He had had the parish of Beagh (Shanaglish) but now it was in the gift of the Clanrickarde family and the revenue was in the control of their nominee, Fr. Tolman P.P. Apparently Fr. Tolman did not give any portion to the bishop. To compensate for this loss, Rome allowed Bishop Nihell on 11th December 1796 to hold the parish of Kinvara as a mensal parish.

There was now one year to effect a settlement and avoid further trouble during the following August, when, by Tribal computation, another election would be due. Warden Joyce wrote to the Propaganda on 2nd March 1795, requesting that the thirteen ancient Tribes be confirmed in their privileges but also that other notable citizens have the privilege

extended to them. This would prevent further litigation and discord. On the same day the bishop of Kerry urged the Roman authorities that immediate action be taken so as to prevent further trouble in August. He suggested that the actual warden be confirmed in his office for a further three years until the Holy See would decide otherwise, as he was acceptable to both sides. Such a decree could be executed by the Galway vicars; it was not expedient that a bishop be appointed for that purpose. The Irish bishops would discuss the matter at their meeting in the near future and he promised to forward their views.

The Propaganda discussed the matter at a plenary session of 18th May 1795 and decided to abide by the decision of 1792, that the right of presentation belonged to the mayor, sheriffs and peers of Galway rather than to all the citizens and chief inhabitants of the town. One further year's extension was granted to the parties to present their cases to the Propaganda; in the meantime Warden Joyce was confirmed in his office at the will of the Congregation and the Holy See.

Dr. Teahan's reluctance to go to Galway was, no doubt partly due to his annoyance at Bodkin's publication of his letter of 20th April 1793. It was known in Galway that the bishop was now less well-disposed towards the Tribes, as he was said to have been influenced by some of their enemies. The Bishop would have recalled that his previous visit to Galway had not been without incident. Advancing years may have been another consideration; he died on 4th July 1797.

When the Congregation's May decree reached Galway, the following notice was published:

> The R.C. Warden and Vicars of the College of Saint Nicholas, Galway, having this day received a decree of the Holy See relative to the controversy now subsisting on the right of appointment to the R.C. Wardenship and Vicarages of Galway, request the attendance of the parties concerned at the Parish Chapel on Tuesday next, 28th inst. at the hour of One o'c in order to notify the decrees to them.
> Galway 25 July 1795. P. Kirwan, Secretary

Cardinal Gerdil, former secretary and now prefect of the Propaganda, sent an accompanying letter of explanation with the decree. He pointed

out to the vicars that it was their duty to see that the terms were fulfilled. The vicars did not succeed as, in spite of the decree, the lay patrons proceeded to re-elect Warden Joyce, for a further period of three years. It was alleged that the warden showed no disapproval. When it came to institution of the warden on 30th September, the vicars refused on the grounds that, as John Joyce had previously been appointed by the Holy See, there was no vacancy and consequently no need for institution. This was, of course, directly contrary to their attitude to the papal confirmation of 1792.

Dr. Edward Dillon, who had now succeeded Bishop Nihell, who died on the 29th of June 1795, in Kilmacduagh and Kilfenora was, like his predecessor, interested in having Galway united with his dioceses. In September 1795, he went to Munster to canvass support for his plans. He found, on arrival in Killarney, that the bishop of Kerry was absent on visitations, so he continued on to Cork only to find that the bishop there had left for Killarney to attend the funeral of Lord Kenmare. From Cork the bishop wrote to the archbishop of Cashel, Dr. Bray, giving an account of his tour and explaining its purpose. He informed the archbishop that both the bishops of Kerry and Cork had sent him kind letters and suggested that he forward to Propaganda a statement of the motives that made this proposed union desirable. Dr. Teahan had authorised him to mention his name in particular, as a person well qualified for consultation on the proposal. Since Dr. Dillon was unable to visit Cashel he asked the archbishop for his support and enclosed a draft copy of a letter he proposed to send to Rome.

He wished to inform the Propaganda, the draft letter said, that the situation in Galway had become so serious that it was necessary to terminate the privileges altogether. The question to be decided was whether the wardenship should be united with Tuam or with Kilmacduagh and Kilfenora. In order that the bishop of the latter diocese would have an adequate living, this union was the obvious one to bring about; his own income supported him for only three months. The last two bishops of Kilmacduagh and Kilfenora, because of their poverty, were unable to observe the law of residence. Bishop Killikelly had lived with the Dominicans in Galway and Dr. Nihell resided with rich relatives in Limerick. He suggested that he was a very suitable person to rule the church in Galway, as he was related by blood and friendship to some of the leading people in the town. From the geographical point of view,

union was suitable and desirable. Bishops from Dublin, Cashel, Cork and Kerry were in support of his proposal.

Dr. Dillon also informed the archbishop that he proposed to inform the Holy See that he was not appealing to the archbishop of Tuam for support, because the archbishop had often declared that, should Rome withdraw the Galway privileges, he would strive to have the area reunited with Tuam: in ancient times, it formed part of the diocese of Annaghdown now incorporated in the archdiocese. The archbishop, Dillon thought, already had enough to do to take care of the territory he had. Nevertheless, he had often stated that he would actively oppose any effort to unite Galway with Kilmacduagh and Kilfenora.

It does not seem that this proposal got any further or that it was ever submitted to Rome; certainly it was never mentioned at a general congregation of the Propaganda. The Roman authorities were now waiting for the submissions of the Galway parties on their differences. Valentine Bodkin had a Tribal dossier, presenting their case, ready but there was further delay when Bodkin insisted that the non-Tribe case be published. Fr. Creane O.S.A. agreed even though it caused him "no small umbrage, for the works of fraud, cabal and faction hate the light" wrote Bodkin to French, mayor of the Catholic corporation.

The non-Tribe statement was, in fact, translated by Dr. Bodkin at the request of the Propaganda. He had no scruple in sending a copy of it back to Galway with many disparaging remarks. In fact, he seems to have made use of it to add further to the written Tribal case. In a long letter to the Tribal mayor, Gregory A. French, of 21st January 1796, Dr. Bodkin did not minimise his efforts on behalf of the Tribes. Despite his great desire to go home, he had remained on, in poverty, to represent the Tribal interests. The primary purpose of this letter would appear to have been to secure further financial help from the Tribes. Also he wished to explain and apologise for the non-arrival of documents sent by him to Galway. The reason was that the documents had been lost when the ship carrying them was captured.

He had constantly to be on his guard against intrigue by the regular clergy. Because of the fact that Warden Joyce was held in high esteem by the regulars, no fitter or worthier warden could be chosen. He himself had spared no trouble and had secured the best advice in Rome in draw-

ing up the Tribal case. Despite a recommendation of Dr. Teahan to the contrary, he felt sure that the Tribal privileges would be preserved, as he had warned the Congregation about the real possibility of a schism. The one aspect of the case made by the non-Tribes that caused him concern was the alleged delegation of authority by the legal corporation, on 8th September 1791. He wondered if it was really given, and if so, what sinister motives influenced the corporation? Who was mayor then? Was there any possibility of a disavowal by the present corporation? He felt that it was very unfair of the Protestants to interfere in Catholic affairs when they themselves had been very careful to exclude Catholics from their councils.

When the case was in the final stages of preparation, a Tribal protest of 2nd April 1796 was sent to Rome. It complained about the refusal of the vicars to institute Warden Joyce on the previous 30th September. They regarded as insufficient the vicars' excuse:

> "that the Revd. John Joyce having been previously appointed by the Holy See, Warden of the said Collegiate Church at the will of the Holy See that the said chapter cannot proceed to institute the said John Joyce to the office of Warden, there being no vacancy of the said office."

It was the Tribal contention that there had been a misunderstanding and a misinterpretation. The Congregation had *confirmed* whom the Tribes would *appoint*. By refusing, the vicars had broken the oaths they had taken to defend the Tribal privileges. The Roman decree had not suspended the Bulls of Urban VIII and Clement XII. A further reason for the illegality of their action, the patrons complained, was that the Holy See's provision was made only in case there were trouble. In fact there had been no trouble.

The case finally came for discussion at a general congregation of 6th June 1796. The non-Tribe case was based on the tenet that the grants had never been personal but local. It had never been intended that the electoral right would be for particular families or that it would be hereditary. The seizure of control by the Tribes had been illegal. Extensive historical documentation from the town corporation books was included to prove that at no stage before 1699 were the privileges confined to the Tribes. It also showed that admission to freedom was not

hereditary. Certain qualifying tests had to be passed.

The situation had changed radically since Catholics were now once more freemen of the legal corporation, continued the non-Tribe statement. As the vast majority of these freemen were non-Tribes, it stood to reason that they should have electoral rights in the wardenship. Quoting legal authorities, the document showed that when Catholics were once more in the legal corporation, the rights which were originally intended for the legal corporation reverted to them. There was no question of extending the rights to the 20,000 people of Galway. It was merely required that those admitted to the freedom of the legal corporation be given the right to elect the warden and vicars.

The statement of the Tribal case was in part a reply to the non-Tribe arguments. It described the latter documents as contradictory, incoherent and distorted. It gave a history of Galway, based on the supposition that the town was founded by fourteen families to whom the original grant was made. These original families admitted some other notable families to the freedom of the town. During the penal days, when the electorate lost its legal corporate status, the electors continued their corporate existence for the purpose of ecclesiastical presentation. This right had been confirmed in 1733 and had been retained in pacific possession for 58 years before the recent trouble began in 1791. This struggle was presented in the statement, as having been started by the lower orders who secured support from the Protestant legal corporation for their endeavours. If the lower classes were granted a vote, it would lead to confusion and disorder. The decision of the Congregation was:

> "That the right of presenting the Warden and Vicars of the town of Galway belongs to the Mayor, Bailiffs, and equals of the said town according to the tenor of the Bull of Pope Innocent VIII."

The wording of this decision gave rise to misunderstanding, as it was capable of double interpretation. Once again, perhaps, the Congregation did not understand the Galway situation. Valentine Bodkin was satisfied that it referred to the Tribal corporation. In 1797 he left for home "almost like a refugee from the confusion of the French invasion". After he had departed, Fr. Philip Creane approached the Propaganda and succeeded in having another ruling issued with a slight change of wording, which made the Tribal interpretation of the former decree no longer

tenable; in fact it completely reversed the accepted meaning of the first decree. The new ruling of 2nd April 1797 was:

> "That the right of presenting the warden and vicars of the town of Galway belongs to those Catholics who had been admitted into the corporation of the Mayor, Bailiffs and equals of the aforesaid town of Galway according to the tenor of the Bull of Pope Innocent VIII."

This extraordinary reversal of the previous decree was forwarded, with discretionary powers of execution, to the archbishop of Tuam. Should he in his judgement decide that it might cause further trouble, he was empowered to withhold execution.

Needless to say, it caused consternation among the Tribes. Valentine Bodkin, now home in the family residence at Kilcloony, county Galway, in a strong letter of protest to the prefect of Propaganda, Cardinal Gerdil, stated that the Congregation had been taken unawares. He explained with his usual verbosity, how the changed wording had radically altered the previous decision; clearly, the Congregation did not understand the situation, he stated. Both he and the archbishop, on whom he had called, were amazed at the change in the decree. Its execution would place the election in the hands of the Protestant corporation. The decree had not been executed and it was not proposed to do so until the Congregation had given more mature consideration to the whole case.

Continuing, he said it was not clear to which corporation the decree referred. If to the legal corporation whose officials were all Protestants, what would be the outcome? He explained to the Cardinal the existence of the Catholic corporation whose right it was to elect Catholic municipal officials and the members of the college. Many of the freemen of the legal corporation were, in fact, non-resident; they were the herds and serfs of Mr. Daly who enrolled them as freemen in order to return as many as possible of his supporters to the town council. This council, in turn, had the right to return a member of Parliament from the town. If the Catholic freemen were to elect a warden, what would become of the Tribes who had done so much for the Church in Galway? In view of the many Tribal benefactions this outcome would perpetrate a grave injustice.

There is no evidence that the new decree was ever executed. It was a most unsatisfactory and puzzling end to six years of litigation. The decree was never withdrawn; it was simply ignored by the Tribes who continued to exercise their exclusive privileges. The death of Archbishop Egan of Tuam on 1st July 1798 and the beginning of more serious disputes left this inconclusive Tribe versus non-Tribe in the background. It was later to come to the fore again and to be, perhaps, the chief cause of the termination of the privileges. In 1830, as we shall see, Fr. Joseph Kirwan suggested that the 1797 decree be executed, but his suggestion was not put into effect.

CHAPTER THREE

ARCHBISHOP DILLON AND THE WARDENSHIP (1798-1809)

The various incumbents of the see of Tuam played a vital role in the varying fortunes of the wardenship. It is not surprising, then, that when the archbishopric became vacant on the death of Dr. Egan, the question of the succession became a matter of great interest in Galway. Valentine Bodkin, on behalf of the college, wrote to Pope Pius VI to recommend a successor to the late archbishop.

The petition, dated 24th July 1798, was signed by J. Joyce, dean, W. Blake, D. Mannin, F. Blake, B. Burke, J. Kirwan, A. Kenny, vicars; also Patrick Mooney P.P., Kilcummin, John Lowther P.P., Shrule, Francis Cahill P.P., Thadeus Murphy P.P., Lidekan, Francis Mahon P.P., Killanin, Francis Flaherty P.P., Aran, Dermot Noone C.C., Claregalway and Malachy Mannin C.C., Kilcummin; also twenty four of the regular clergy. Bodkin, who wished "to hold up our college of St. Nicholas of Galway and render it more conspicuous in the eye of the court of Rome" assured the pope that their intentions were the "most pure, and calculated only to promote the great cause of God and the increase and interest of our holy faith and religion."

For the information of the pope, Bodkin gave a short history of the wardenship, describing it as an independent ecclesiastical entity and having a population of 24,000. He then gave an account of the recent rebellion in the country, explaining how in the west all was quiet. Although Galway was an independent church territorial unit it was in the territory of the archbishop of Tuam and consequently Galway had an interest in the succession. The college wished to recommend for the vacant see, Bishop Thomas O'Connor of Achonry. As it was known in Galway that Bishop Dillon of Kilmacduagh and Kilfenora wished to have the Galway privileges ended, we may see this petition for Dr. O'Connor as an effort to prevent Dr. Dillon's transfer to Tuam.

Two college elections took place about this time, neither of which seems to have given rise to any serious trouble. On 28th July 1798, Andrew Kenny replaced Patrick Kirwan (recently deceased) as vicar. It is to be inferred that Warden Joyce was re-elected in 1798. In these and subsequent elections, there is no further mention of the "adopted families" who were given votes by the Tribes in 1791. All twenty-one persons who signed Andrew Kenny's document of presentation were Tribal.

In spite of the wardenship petition, Dr. Dillon was transferred to Tuam in August 1798. His period of office was marked with disharmony not equalled since the great dispute with Dr. O'Gara sixty years previously. Matters seem to have gone smoothly until the archbishop's first visitation of Galway in October 1799. As a result of this visitation the archbishop expressed himself very dissatisfied with the state of religion in the wardenship. This led to a bitter dispute which gave rise to ill-feeling between archbishop and college which lasted until his death.

In the course of the visitation, the archbishop asked the warden if all was well in his jurisdiction. He replied in the affirmative; there was little to report except for a priest named Fitzpatrick from the Kilmacduagh and Kilfenora dioceses who was then living in Galway, and who was "not good." The archbishop, however, came to a different conclusion as a result of his enquiries during the visitation. He alleged that there was a general laxity among the Galway religious; there was little respect for himself, and the warden had refused to allow him to be prayed for in the mass. He brought serious charges against the religious of the town and against the warden himself. He was sufficiently impressed by accusations brought against a Fr. Nicholas Brennan O.S.A. to suspend him, despite opposition from the college.

The archbishop sent a long list of complaints to Rome on 19th November 1799:

- that the warden had illicit relations with a Catherine O'Brien while her husband was absent and that a son, now about ten years old, was born to them.
- that John Joyce had obtained the wardenship simoniacally, and that he had permitted the patrons to elect him despite his having been confirmed in his office by the Holy See.

- that Fr. Brennan O.S.A. was guilty of scandalous behaviour with the opposite sex, that he frequented Freemason Lodges, that he gave the sacraments to Freemasons and officiated at clandestine marriages. He had suspended him despite opposition, and he was now gone to America.
- Fr. Andrew Kenny had reported to him that on the feast of St. Augustine, a lecture on Thomas Paine was delivered in the Augustinian monastery. Paine had written many things against the Church and political power and against the Scriptures.
- that, at a meeting of the Amicable society some months previously, some monks had said that the deposition and exile of Pius VI was correct: St. Peter had had no political power. Fr. George Staunton, ex-Provincial of the Augustinians, and Fr. Lyons, O.F.M. held similar views.
- that Fr. Lyons also caused scandal by bringing into his monastery and dealing openly with an apostate Franciscan named Kirwan who had publicly married and become a Protestant minister. Other religious in Galway were friendly with him too.
- that discipline was lax among Galway religious, both male and female. In the Franciscan and Augustinian monasteries women worked and resided and even entered the rooms of the priests. In the convents there was much entertaining and the nuns wearing lay clothes were visiting people in their homes.

The archbishop, however, added that the majority of the clergy were exemplary but that some did not preach or teach catechism. The warden claimed to be a prelate of an independent ecclesiastical entity which was not in the 1733 concordat. In the canon of the mass the archbishop's name was not mentioned and the warden refused to attend the Tuam Synod. He claimed he had secured faculties to hold a synod himself. Some of the vicars assured the archbishop that there would be further trouble at elections if the Holy See did not intervene. An unusual feature of this dispute was that three of the vicars, Bartholomew Burke, Andrew Kenny and Patrick Kirwan, before his death in 1798, were on very friendly terms with the archbishop. Two of them took a sworn statement from the woman who accused the warden.

The archbishop suggested three different plans to deal with the situation:

1. Totally abolish the wardenship, leaving *ad tempus* the title and

other privileges annexed to the church.

2. That the Holy See appoint a worthy warden.
3. That the wardenship be abolished and that the area be united with Kilmacduagh and Kilfenora.

Just at that point a change of circumstances made the proposed union with Kilmacduagh and Kilfenora particularly relevant. Archbishop Dillon was consistent. He promoted the union both while in the two dioceses and subsequently after his transfer to Tuam. His successor in Kilmacduagh and Kilfenora since 19th November 1798, Richard Luke Concanen, O.P., resigned without taking possession of his dioceses and remained on in Rome. A meeting of Kilmacduagh priests at Ardrahan on 2nd December 1799 forwarded a petition to the archbishop of Tuam in favour of the Reverend Nicholas J. Archdeacon, dean of Kilfenora and administrator of the parish of Kinvara, for the again-vacant diocese. It was signed by: James Burke, dean, vic. cap. (P.P. Gort), Ed. O'Heyne, archdeacon (P.P. Ballinderreen), Terence O'Heyne, precentor (P.P. Craughwell), John Nagle, treasurer (P.P. Ardrahan), John Burke, P.P. (Clarinbridge?), Thomas Tolman, canon (P.P. Beagh), John Duffy, P.P. (Peterswell), Michael Neilan P.P. (Kiltartan?), James Duffy, P.P. (Kilchreest), James Adams, C.C. When forwarding it to Cardinal Brancadora on 8th December, the archbishop expressed himself as being in complete agreement with the nomination.

The Kilfenora priests at a meeting of 3rd December also proposed Dr. Archdeacon for the vacant diocese. It was signed by Peter Lennon, vic. cap., P.P. (Ballyvaughan), Patrick Roche, P.P. (Liscannor), Laurence Campbell, P.P. (Kilshanny), Michael O'Loughlin, P.P. (Carron?), Bernard McDermott, P.P. (New Quay), Thadeus Davoren, P.P. (Kilmoon?), Patrick O'Loughlin, P.P. (Ennistymon), Patrick Flanagan, C.C., Constanteius Maeleutia, C.C. (*recte,* Constance Curtin, who died 1820, as P.P. Killilagh and Kilmoon?). Dr. Dillon, who had been rector of the Irish College, Douai, when Archdeacon was a student there wrote a long letter to the archbishop of Cashel on 7th December, recommending the young priest for the vacant diocese, now that Dr. Concanen had determined to remain in Rome and resign his office. He felt that had the warden of Galway been a fit person, the most prudent plan would have been to appoint him bishop and thus unite Kilmacduagh and Kilfenora with Galway . . . "but I am sorry to inform Your Grace that he is by no means qualified for this station." He concluded with a post-script: "I have to lay before

the Metropolitans at our meeting a difficulty of great magnitude which occurred in the triennial visitation of Galway last October, being utterly at a loss how to act."

The four archbishops discussed the Galway scandals at their February 1800 meeting and were of the opinion that the troubles would continue until the ecclesiastical government was changed. Despite this, no further effort would appear to have been made at this stage to unite the three jurisdictions, though the possibility of doing so would undoubtedly be frequently mentioned. Dr. Nicholas J. Archdeacon, was, in fact, appointed Bishop of Kilmacduagh and Kilfenora on 12th October 1800 on the recommendation of both the archbishops of Tuam and Cashel.

Now that Galway and Tuam were in serious disagreement, the wardenship clergy seem to have refused to pay cathedratics to the archbishop. An application was made to the prefect of Propaganda, on 19th April 1800, to permit the archbishop the use of ecclesiastical penalties to force payment. There is no evidence that this request was granted.

The Roman authorities were slow to take any action in the matter of Galway. Not until 9th December 1800, was it discussed at a plenary session of the Propaganda. With reference to the complaints from the archbishop of Tuam, three problems had to be dealt with:

1. What should be done with regard to the accusations against Joyce?
2. Should the Congregation write to Fr. Brennan's superior in America?
3. What should be done with regard to the archbishop's proposals?

It was decided to appoint the archbishops of Armagh and Tuam and the bishop of Kilmacduagh and Kilfenora to investigate the situation. They were empowered to impose a penalty while still permitting an appeal to Rome against any such decision. Later, at the suggestion of Dr. Concanen, the bishops of Elphin and Clonfert were added to the commission of enquiry.

These accusations of the archbishop had at least one good effect; it brought the regulars and seculars together in mutual defence. The superiors of the regulars, on the invitation of the warden, drew up a defence of

their communities and a denial of and protest at the accusations of the archbishop. They stated that there was no neglect of the mass, the sacraments or preaching. Their subjects led upright lives; they did not frequent taverns or theatres. Their communities utterly abhorred Jacobinism, infidelity and rebellion; they denied that any of their members were guilty of any of them. While some of the secular and regular clergy in various parts of the country had been impeached, transported or hanged – they were not prepared to say whether justly or unjustly – not one cleric in Galway town had suffered or was even impeached. On the contrary, some of them had received the public thanks of the government for their zealous exertions to stem the torrent of such pernicious principles. They had preached against them, particularly on two of the most trying occasions in the country's history: when the French fleet was in Bantry Bay and on the morning after the victory at Castlebar, though the French were supposed to be, that very day, on the march to take possession of the town. The superiors concluded that they could get testimonials of good conduct from many, but this would only cause scandal. They did not shrink from investigation. It was unfair that when one did wrong, all should suffer.

Catherine Blake, Joyce's housekeeper for many years, signed a statement on 24th April, attesting to his good character. Fr. Joyce had been lodging with her aunt for fourteen or fifteen years during which time Miss Blake found him in every way above reproach. Among his many callers from the lower classes was Catherine Lidane, otherwise O'Brien, who was always nearly destitute and to whom he often gave charity because she frequently showed signs of ill-treatment by her husband. She was "saucy, sometimes drunk, always begging". Eventually the warden got tired of her and asked her to seek alms in future from his curate, Fr. Brennan. She seldom came afterwards, only when drunk. On one occasion the warden gave her three or four strokes of a cane and threatened not to admit her child to the Charity School.

When he threatened to denounce her from the altar because of all the complaints he was getting about her, she said she would get revenge. She went to the vicars, Frs. Bartholomew Burke and Patrick Kirwan and swore that the warden was the father of her child. She had two children in the lifetime of her first husband. The second, born about 1785, had his nursing expenses paid by the warden "in order to avoid a worse evil of which I think the said lady was capable." She had married a black-

smith, Denis Maley about 1798; "she was constantly quarrelling and boxing with him until he married her . . . he eventually had to run out of town because of her."

The process took an unusual turn through the intervention of the bishop of Elphin, Edmund French, who was a member of a Tribal family, and who seems to have been the prelate specially delegated by the Holy See to take charge of the case. On 10th May 1801, Warden Joyce wrote to tell him that he was keeping the whole matter secret except from Dr. Valentine Bodkin who was his chief support and adviser. Dr. French, replying on 22nd May, expressed his approval of the secrecy and was happy that Dr. Bodkin was helpful. The bishop would seem to have put Tribal loyalty before judicial impartiality, as he enclosed a copy of the instructions he had received from Cardinal Gerdil. He requested that none but Bodkin should see them; "for the Principal Agent in this matter would represent me as prejudiced respecting any matter concerning Galway."

The bishop went further; he made suggestions for the defence. He considered that a document from the respectable inhabitants, attesting to the good moral conduct of the clergy would carry weight. This would have to be obtained without revealing its purpose. Dr. French also informed the warden that he had written to the archbishop with a request for a written statement of the charges, the proofs and the list of witnesses but he was surprised that Dr. Dillon had not replied.

The warden also wrote to the Roman authorities through Dr. Concanen; he explained that, although he had been 23 years working on the Galway mission, this was the first time his character was called in question. Some ambitious clergy were the cause of it, he wrote. Regarding the alleged scandal, he said the boy in question was now 16 years old. Since his birth, four visitations had taken place and Dr. Teahan had been to Galway. Why had no charges been made till now? He stated that the person really to blame was Dr. Dillon who had threatened to get revenge on him because of his support of the candidature of Bishop O'Connor for the see of Tuam.

Dr. Dillon informed Rome through Fr. Connolly O.P., San Clemente, Rome, that the decree was not executable in the manner suggested. Dr. Concanen now intervened with a very telling memorandum on the dispute.

He seems to have taken the view that the whole business was a plot by the archbishop to end the wardenship. He stated quite bluntly that the accusations against Joyce were false. A proposal to send the four archbishops to Galway to investigate was impractical. Apart from the great resultant publicity, it would suit Dr. Dillon's scheming. Dr. Concanen's solution was to drop the accusations and let the Holy See provide the next warden.

It would appear that this intervention was decisive; the opinions of Concanen were respected in Rome. The Propaganda's subsequent handling of the affair would indicate some distrust of the archbishop; Bodkin, who had sarcastically described "Concanen and Connolly" as "those sublime characters" later called Concanen his friend. This change may have been the result of his advocacy of Bodkin's friend, Warden Joyce.

The Propaganda discussed the question at a general session on 13th July 1801. The meeting accepted as valid, the archbishop's excuse for not executing the decree. Instead, he was now instructed to investigate the charges at a Tuam synodal gathering; the suffragan bishops would assist him and the warden was to be given a hearing. The Propaganda decided to make it quite clear to the archbishop that the wardenship would never be united with Tuam or Kilmacduagh. On 22nd November, the archbishop informed Fr. Connolly O.P. that Dr. French had been to Galway in September and found grave disorders there. This visit may have been in connection with the institution of the warden, due on 30th September 1801.

When Dr. Dillon received the new commission from Rome, he informed the warden. The ill-feeling between them and the attitude of the archbishop emerge clearly from the sharp tone of the letter:

> "The inclemency of the season will probably prevent a meeting of the Prelates before February. You shall get timely notice when the meeting is to take place. I am given to understand that the plan at Galway now is to propagate a report by every possible means that all the odious charges were fabricated . . . by me in order to possess myself of your district. It is of no great consequence to the Mission what opinion may be entertained of me by many individuals in Galway and I would willingly accomodate (sic) you with a sliver of my character if it could be of any service

towards the re-establishment of yours. But I am sorry that you and my good friend *Val* did not adopt a more plausible plan. You may rest assured that however much soever the people may, in your presence, express their horror at my Diabolical machinations against you, yet when your back is turned they will laugh at us all . . . . your invariable system since I came to the Diocess (sic) of Tuam has been to hold out a flag of defiance to me.

Your sincere wellwisher in Christ,
+Edwd Dillon A.T.

P.S. It is not certain whether the Prelates will be assembled before Easter as I have written to Rome for further instructions and must await an answer."

The archbishop, however, changed his mind and informed the Propaganda that their new proposals did not meet with his approval. He stated that it would be difficult to bring clergy and witnesses from Galway. It was a great distance and it would give rise to scandal. On the other hand, continued the archbishop, if he went to Galway, he would be in danger from the partisans of Joyce. He alleged that Warden Joyce had publicly denounced him. Perhaps, he felt, it might be better to abandon the latest Roman proposals and leave the matter to himself and another bishop; they could deal with it on the occasion of his visitation to Galway later in the year. If the Congregation wished, the bishop of Clonfert or the bishop of Cork could be appointed to assist him and the whole matter would be dealt with quietly in the apartment of the warden. Dr. Troy of Dublin agreed with this proposal, concluded the archbishop. The Propaganda decided to leave the matter to the archbishop himself to be dealt with on the occasion of his visitation. Instructions to this effect were sent to him on 1st May.

A bishops' meeting was held in Tuam on 22nd-23rd June 1802 but the warden's case was not tried, no doubt, owing to the fresh instructions from Rome. The warden wrote to Cardinal Gerdil, on 14th July, regretting that his case had not been considered at the meeting. He explained that the whole affair was a plot by the archbishop to deprive Galway of her privileges. The warden insisted that the religious, male and female, and the secular clergy were above reproach. Not even one of them had been involved in the recent trouble, something that could not be said of Tuam.

The warden petitioned that Dr. Dillon should not carry out the visita-

tion in the following October but that some other bishop be sent to Galway as delegate of the Holy See. He asked, however, that Bishop Archdeacon of Kilmacduagh and Kilfenora should not be appointed as he was related to Dr. Dillon.

Rome made no provision, as far as is known, in answer to the warden's petition. The archbishop went alone to Galway on visitation in October but there is no evidence as to whether he carried out the investigation. As might be expected, the visitation did not pass without incident. Dr. Dillon asked the warden if there was anybody for Confirmation. The warden replied that the instruction of those for Confirmation would not be completed till Christmas, when some other prelate of the province would be invited to perform the ceremony.

The archbishop strongly objected, saying that it was his right as ecclesiastical superior. The warden in a letter to Rome seeking legal opinion, explained that the archbishop would be very welcome to perform the ceremony but he would not be asked as if it were his right. In former times, Dr. Killikelly, Primate Blake, Dr. Kirwan of Achonry and Dr. Bellew of Killala had confirmed and ordained at the invitation of the warden without reference to the archbishop. Dr. Dillon was the first to claim the right although it was clear from the Bull of Clement XII that the archbishop's rights were confined to triennial visitation. No change resulted from this visitation; Warden Joyce continued in office.

The question of the inclusion of the archbishop's name in the canon of the mass was also at issue during the visitation. In March 1803 Warden Joyce again made a long complaint to Rome about the archbishop's "spirit of innovation" with regard to Galway. Dr. Dillon, in turn, on 24th March 1803, sent another letter of complaint, to Cardinal Borgia: his name was not yet allowed in the canon of the mass. There is no evidence of any further Roman intervention before Joyce died, on the night of Saturday, 6th April 1805.

On 9th April 1805, the day of the late Warden's funeral, his friend, Valentine Bodkin, was elected vicar-capitular of the wardenship. When elected, Bodkin began to keep a record of happenings in the wardenship "of this spiritual district the compiler intends in due time to leave a full and satisfactory description for the better information of futurity whilst he has to lament and deplore, that none before him ever thought of

leaving after them any sort of registry for either the satisfaction or instruction of those who were to come after them. However this has not discouraged Bodkin who made it his particular study for some years". Archbishop Dillon, perhaps as a token of friendship and peace, sent a message of congratulations on 11th April:

> "Whilst I must regret the decease of the very Revd. Warden Joyce I have felt really (sic) pleasure at the account of his edifying death R.I.P. I am informed that the care of the charge of a portion of the church of such importance and respectability has devolved upon you and in the meantime I must fervently beseech Divine Providence to direct the counsels of every person most immediately concerned in the appointment of a superior over the vacant district indeed with every sacerdotal qualification who may promote the glory of God and the advancement of religion. I beg leave to thank you for the uncommonly fine salmon who (sic) you sent by your messenger. The clergy who numerously attended the late solemn occasions requested to unite with me in the sincere regard and good wishes . . ."

It would appear that on the death of Joyce, Bodkin wrote to Dr. Concanen in Rome to enquire about the legal position resulting from the confused decree of 1797. Before any reply came, Bodkin was chosen as warden on 13th May 1805, his term of office to run to 1st August 1807, when another election would normally be due. Rev. Dermott Noone was chosen vicar in his place.

Dr. Concanen replied on 18th May. He congratulated Dr. Bodkin on the esteem in which he was held both by the Tribes and by the non-Tribes. It was his opinion that the non-Tribes must be given a vote in all future elections in accordance with the rescript of 2nd April 1797. Dr. Concanen was given to understand that Fr. Creane procured this rescript from Cardinal Gerdil and Cardinal Brancadoro after Bodkin had departed from Rome; this new document contradicted the previous rescript. "I fear", Concanen wrote, "it would be vain to attempt to review this suit but at any rate when you can procure a few votes of the *Catholici adscripti Corporationi* (the adopted Catholic Families) the business can be done amicably." From this, it appears that Dr. Concanen, too, misunderstood the situation in Galway. It is not clear if he meant the Catholic freemen of the legal corporation or the Catholic freemen adopted by

the Tribal corporation. This misunderstanding made little difference as the Tribes do not appear to have followed his advice.

Personal relationships in the college must have been strained at this period owing to the support given by some of the vicars to the archbishop of Tuam in his case against the warden. The warden knew that Fr. Bartholomew Burke remained a close friend of the archbishop of Tuam. The warden wrote in his personal record of the period:

> "Revd. Val. Bodkin . . . . undertook the defence and after a long correspondence of years, not only established and reasserted the rights and privileges of the wardenship, but repelled the calumnies spread and propagated against the Galway clergy by His Grace of Tuam to which with heart-felt concern the compiler of these facts and memoirs is compelled to here in declare that three particularly (sic) vicars . . . . whose names he wishes to bury in silence and commit to eternal oblivion for charity-sake and for their honour, combined together and so contrived matters without having once consulted the members of the chapter either individually or in a body as to have handed to Doctor Dillon their complaint and remonstrance against aforesaid late Warden Joyce and persevered in aiding and assisting Doctor Dillon, to overthrow and abolish the Wardenship of Galway."

Despite the fact that they had chosen him as vicar-capitular, there were objection among the vicars to his choice as warden, no doubt because of his history in connection with their previous disputes. It was later claimed that the disapproval of the vicars seemed almost a recommendation to the electors. Bodkin blamed Dr. Dillon for this unhappy state of affairs as "he sowed deep seeds of refractoriness amongst the vicars against their Ordinary, the Warden." His own lack of clearly defined authority must also have contributed to this dissension. Within a short time of election, he was faced with the problem of securing obedience from his subjects. This, once again, shows a fundamental weakness in the system; its constant repetition was to be a reason for ending the privileges.

The Reverend Dermott Noone was instituted vicar by the members of the college on Friday, 31st May. Normally, there would have been a parochial change-about at once, as vicars moved to more 'senior'

parishes. On this occasion however, because of Easter duty, Easter dues and 'stations' in the country parishes, it was decided to make no change until after the Octave of the feast of SS Peter and Paul. These changes made at a chapter meeting of 9th July, illustrated well the manner in which parishes were assigned:

> Denis Mannin, P.P. Rahoon to be P.P. Wood Quay or Newtownsmith
> Val. Bodkin transferred to Shop St. or Bohermore Quarter replacing the late Warden Joyce.
> The other senior vicars having according to ancient usage immemorial declared their inclinations to remain as they were
> Patrick Mooney became P.P. Rahoon
> Dermott Noone P.P. Kilcummen (sic) commonly called Oughterard.

Father 'Darby' Noone had been curate to the late Warden Joyce and had collected the Easter offerings. He "ignorant of every principle of canon law, church discipline and theology . . . thought he was entitled to the entire emoluments of the parish." The warden was astonished, but, according to himself, out of compassion gave him half the emoluments and sent him to Oughterard. There may have been more than compassion in the warden's action; perhaps he was also being prudent. He must have appreciated the weakness of his own position and did not dare risk another dispute which might necessitate a further intervention by the archbishop.

Before long, trouble arose between the archbishop and the warden. It concerned the unsatisfactory Kilmaine (Tuam)-Shrule (Galway) boundary. This dividing line had been the cause of trouble in the time of Archbishop Mark Skerrett. The present archbishop accused the warden of aiding the parish priest, Fr. John Lowther, Shrule, in his efforts to secure part of the parish of Kilmaine. The late Warden Joyce had not been helpful in this matter, claimed the archbishop, and now there was trouble again under the new warden. Dr. Dillon informed the warden that he would try the case legally but if Lowther took any action while the matter was *sub judice* he would excommunicate him. There is no evidence as to how this dispute was settled.

1805 was visitation year. It seems that owing to the bad state of Dr. Dillon's health, he was unable to carry out the visitation at the usual time. He had, however, been in Galway but circumstances did not permit him calling on the warden. Relations were strained by the Shrule-Kilmaine

dispute. The archbishop wrote to the warden on St. Stephen's day:

> "I requested my excellent friend Revd. Barthw. Burke to apologise to you, in my name, not having awaited on you when at Galway. My complaint had increased to an alarming degree which induced me to hurry out of town. I am now, thank God, much recovered, and I hope will be able to attend the visitation whenever you think most eligible and most convenient for your clergy."

The reaction in Galway was unexpected. The warden did not reply at once but summoned a meeting of the chapter, seemingly in the new year, and decided that the archbishop had forfeited the right to undertake visitation since he had not done so during 1805. The right was strictly triennial and was presumed to lapse for the occasion, if not carried out according to the strict letter of the law. Perhaps His Grace might wish to ask Rome for a direction in the matter? The archbishop, clearly not anxious for another dispute, had no choice but to acquiesce, but without much grace. With typical acerbity he wrote to the warden on 26th February 1806:

> "I am extremely concerned that you should have given so much trouble to yourself and so much inconvenience to the gentlemen who compose the chapter of St. Nicholas as to assemble them at so inclement a season to deliberate on a subject which I could never suspect to be controverted. If I will conceive the purpose of your letter, it is that the Archbishop having suffered the triennium completely to elapse that the right of visitation should be deferred till the next triennium should come round, you will observe that the triennium which being the year 1805 was not entirely completely elapsed when I wrote to you on the subject, Saint Stephen's Day and that it ought not to be considered a grievance that the visitation should by unavoidable circumstances be postponed till the year 1806. It is not necessary to enquire where the right exists, much less ought I to trouble the S. Cong. with such unimportant enquiries. I have therefore only to request that you will have the goodness to thank in my name the gentlemen of the college who so handsomely came forward to put a stop to even the possibility of a controversy which could not contribute towards the public edification and as for my part, I beg leave to defer the visitation of Galway district till the next triennium which will be

1808 but at the same time, I shall observe that I shall have the opportunity of showing you, if God prolongs my life, that the Archbishop is not to be limited to a particular day or month but that he is free to fix any day within the year which might be necessary."

The letter ended with a sharp rebuke on the question of a marriage nullity case.

After the initial period of turbulence, matters went more smoothly for the warden. Writing to a Roman friend, Giuseppe Bartolini, on 21st May 1806, Bodkin told him how well he was doing; his conduct as warden was a cause of satisfaction to all parties.

Another incident from this period was later to be the cause of much trouble. The patrons were anxious, without doubt, that the warden should be of the Tribes; otherwise there was no guarantee of his interest in the preservation of the Tribal privileges. Only once since 1620 had a non-Tribe, Patrick Bermingham 1730-37, held office and the Tribes were adamant that this general pattern be maintained. It was necessary that priests having Tribal names should be available for election but they were not now being recruited so easily. The changing social circumstances of the Tribes led to more non-Tribe clergy in the service of the wardenship. The three remaining Tribal vicars, the brothers Walter and F. X. Blake and John Kirwan were advancing in years. The patrons decided to seek a remedy while there was yet time and while a Tribesman was warden. At this point two very suitable recently-ordained priests appeared on the scene, Edmund and Charles Ffrench. They had one serious disability; both were regulars. At a Tribal meeting in 1806, Gregory A. French, Catholic Mayor presiding, a petition was addressed to Warden Bodkin asking him to secure a dispensation so that the Ffrench brothers and a third Dominican, John Fallon, would be eligible for election. Fallon is said to have been a collateral descendant of James Fallon, elected warden in 1620. The warden looked on this proposal with favour but did not take his vicars into his confidence or consult them in any way. The vicars, no doubt, would see this proposal as a step to prevent any of them succeeding to the wardenship. The warden does not seem to have taken any action to implement the Tribal request, possibly owing to the troubled state of Europe at the time. The petition then lapsed but was not forgotten.

There is no record of any trouble in the wardenship when Bodkin was re-elected – as we must infer he was – in August 1807 or when a vicar (John Lowther?) replaced in 1808, the deceased Walter Blake, P.P. Oranmore. There was peace, too, with the archbishop. Two reasons suggest themselves for this period of tranquility. Firstly, Warden Bodkin had shown an ability, not observable in his predecessor, to avoid serious disputes. Secondly, the archbishop, due to failing health in his declining years, was prevented from interesting himself actively in Galway's affairs. His death on 30th August 1809 was looked on with relief in Galway.

Valentine Bodkin ended his notes on the history of the wardenship with an account of Archbishop Dillon's attack on the Galway privileges:

> "The archbishop of Tuam in his time made a most dark attempt against the privileges and exemptions of the Wardenship of Galway, under the pretext and colour of necessity in as much as the morals and conduct of Warden John Joyce were not only irregular but infamous and scandalous and wrote such letters to Rome (copies of which were procured from the Sacred College of Cardinals of Propaganda Fide and will be found among Warden Bodkin's papers which he will leave to the college) as not only to have alarmed Rome but filled it with horror and indignation against the body of the clergy of Galway secular and regular, not excepting the three nunneries . . . as will appear more fully upon reading the copies of his Grace's letters to Rome. Letters that fully and evidently evince what a Macchiavel-like (sic) deep, dark and artful plot he led, which by the mercy of heaven Bodkin most luckily discovered or rather suspected and which therefore induced him to write off without loss of time to the Cardls. of Prop. to all of whom he was well known, having resided in Rome no less than 39 years of his life, from the age of eight years old, and where he went through a long and honourable course of studies and was graduated in Theology, in Canon and Civil law and was a Socius of the Sapientia, the head-University of Rome."

Bodkin continued that the wardenship was never more critically situated than under Doctor Dillon whom he described as dark, insidious and undermining in relation to Galway. His restless disposition and vindictive cast of mind would render execrable his memory not alone in Galway but in eyes of every fair and impartial man. Not even the attack

of Archbishop O'Gara in 1730 and the non-Tribe disputes of 1791 with the fourteen Tribes of Galway, hurt as much as this attack of Archbishop Dillon. He described Dillon as a man . . . .

> "in whose side or narrow mind the envious heart, the privileges and exemptions of Galway were no less than a deep and sharp thorn which seemed to gnaw his very vitals and carried him to such unpardonable heights, as to have made him fall into such excesses of language and sacriligious scandal far and near over this kingdom and bespeak him a most worthless prelate of God's holy church. No wonder then if his sudden death was interprated (sic) by many as the judgement from heaven, for he dyed without the sacraments of the church, altho' he had many warnings of apoplectical fits, which he could not allow to be such and tho' seemingly recovering or recovered from one of eight days before, he never once called for a confessor to make his peace or reconciliation with God. The Pastor or P.P. was kept in the house by the sister for that purpose but never once did he signify or give the least sign of calling for him till the last fatal blow struck him speechless and senseless ....
>
> Doctor Dillon's sentiments and opinions concerning Galway and his endeavours to vilify and draw into contempt the Warden of Galway, by which his conduct so injurious to religion, to its interests and to the discipline of the Catholic Church, he sowed deep seeds of refractoriness amongst the Vicars against their Ordinary, the Warden, disseminated discord and disunion amongst them, a thing unknown before and rendered audacious the irregular and refractory. No wonder then if many abuses crept into this district which Warden Bodkin had it not in his power in those arduous critical times of so much relaxation in Morals and in Faith, had it not in his power to root out and extirpate, whilst in prudence and in the discharge of his head(?) pastoral vigilance, he endeavoured to resist it . . . . Many were the attacks made by the said Archbishop Dillon against Warden Bodkin personally, which he partly despised and partly overlooked for the sake of peace and religion . . . . Should Warden Bodkin appear to futurity rather too severe and uncharitable in what he has mentioned of Doctor Dillon, he solemnly declares in the presence of Almighty God that he would be very far from handing down to posterity such his observations and strictures on Dr. Dillon's conduct, were they not in the first instances founded upon facts and proofs the most glaring and stubborn, all to be seen

and perused amongst the many papers and documents which Warden Bodkin will leave to the Vicars or Chapter of St. Nicholas. Besides, these are private memoirs, never destined for print, and I should think it cruel and unjust to have my Brethren, the vicars, as in particular, the Wardens, ignorant of such proceedings and attacks against the Privileges of Galway, which all of us by solemn oath at our instalment are bound to maintain by every means in our power as behoveth the anointed of God. The oath is no less than sworn on the holy gospel of God, time immemorial and introduced I could understand from tradition and from some of the old members who were concerned in the suit between Archbishop O'Gara and Galway, as in particular my uncle, Primate Blake, informed me and Revd. Andrew Lynch who dyed bordering on the age of ninety."

Dr. Bodkin made complaints against the regulars who did not treat the warden as ordinary but went to the archbishop of Tuam for faculties; otherwise the pope would have put the wardenship directly under the Roman Pontiff. The archbishop of Tuam, concluded the warden, should not have the right of visitation.

CHAPTER FOUR

THE UNWANTED WARDEN 1809-1821

Just as the wardenship history was influenced by the ideas of the French revolution, so too did the imprisonment of the pope by the French in 1809 have repercussions in Tuam and Galway. It brought about a situation without parallel in modern Ireland. It arose from a dispute concerning the appointment of an archbishop of Tuam. The succession was of vital importance to Galway, especially after the unhappy relationship with Dillon.

Canon Oliver Kelly, P.P. Kilmeena, had been the confidant and friend of the late archbishop, in addition to being his vicar-general. When Dr. Dillon died, the vicar-capitular was elected in the absence of the dean of Tuam, Fr. Egan. When Oliver Kelly was chosen for this position, the dean questioned the legality of the election because of his own absence. The great majority of the Tuam clergy were not in agreement with this viewpoint but this did not prevent the dean from appealing to the senior suffragan bishop, Dr. Bellew of Killala. The bishop quashed the election and appointed Dean Egan as vicar-capitular in the place of Kelly.

Galway followed this development with great interest as Kelly's close association with the late archbishop made him *persona non grata* with the college and Tribes. Bodkin must have followed the controversy with even greater interest than his colleagues, if only because he shared the same background as Dr. Bellew, who also had been agent in Rome for some of the Irish bishops. The warden had a practical interest in the matter because he had a seat in the western bishops' conference and during the dispute acted as secretary to that body.

The leading bishops in the country immediately took an interest in the dispute. The Connacht bishops met at Moylough, county Galway and unanimously upheld the action of Dr. Bellew. Censures were im-

posed on Dr. Kelly should he continue to act as vicar-capitular. Archbishop Troy of Dublin felt that Dr. Bellew himself intended to succeed as archbishop of Tuam. He wrote to Dr. Concanen in Rome that Dr. Costello of Clonfert, Dr. Archdeacon of Kilmacduagh and Kilfenora and perhaps also the warden of Galway were interested also in becoming archbishop of Tuam. Dr. Kelly refused to resign and continued to have the backing of the Tuam clergy and also, the open support of the primate of all Ireland, Dr. O'Reilly of Armagh. The question was a complicated one with the possibility of far-reaching implications, because of the whole-hearted support of the Tuam priests. The situation was aggravated further by the circumstances of the time which made recourse to the pope impossible. It became necessary to try to solve the problem at home and this brought about the intervention of other members of the hierarchy.

In an effort to bring about a settlement, the western bishops met in Galway on 8th November 1809 and addressed a letter to Dr. O'Reilly protesting against his interference in the affairs of another province: his primacy was merely one of honour. They strongly objected to his support of Oliver Kelly, a most unworthy person without noble blood or theological knowledge. It would seem that Warden Bodkin personally delivered the protest to Archbishop O'Reilly, who replied from Dundalk on 12th November. He stated that the removal of Oliver Kelly from his post of vicar-capitular was illegal; that he should now be restored; and in reply to the protest of the western bishops, concerning his "mere primacy of honour", he countered by citing authority and insisted that he had the right to judge.

The bishops ignored the reply of Dr. O'Reilly and on 15th November called on the Tuam clergy to be obedient and to end the "lamentable schism". They sent an account to all the Irish bishops, except those of the north, and on 29th November, sent an account of the happenings to the Holy See.

Eight bishops from the east and south met in Dublin on 1st December and publicly sided with Oliver Kelly. The archbishop of Armagh conferred with the various interested parties including Dr. Kelly and on 31st December, gave a definitive judgement: not alone had Kelly the right, but he had the duty to remain in office.

The decision of Dr. O'Reilly seems to have ended the dispute concerning the election of a vicar-capitular; only the bitterness among the western bishops towards Dr. Kelly remained. He continued as vicar-capitular, pending the release of the pope and eventually, on 4th October 1814 was appointed archbishop of Tuam. From that time, he played an important part in the history of the wardenship.

It is not surprising that Bodkin did not regard Kelly with great affection. Dr. Kelly, on the other hand, in all his dealings with Galway showed the greatest tact, prudence and charity but was invariably treated with suspicion and even hostility by the majority of the Tribes. The period when he was vicar-capitular was one of crisis in the wardenship. While his own position was in jeopardy, Kelly seems to have taken no part in helping to resolve a serious dispute in which the wardenship was involved. Even after he became archbishop, Dr. Kelly intervened in the affairs of Galway only when invited or when the law made it absolutely necessary. These interventions were marked by an acute awareness of the complexity of the situation and of the peculiar difficulty of the warden's position and they form a more pleasant aspect of the not very edifying final history of the wardenship.

Not until 20th January 1810 did Warden Bodkin secure the rescript, signed by Monsignor Quarantotti, Vice-Prefect of the Propaganda. It permitted the three regulars to be elected to the college, as the Tribal corporation had requested in 1806. The granting was timely as by the end of the year, only one Tribal 'name' survived in the college after the death of John Kirwan in September. The rescript does not seem to have reached Galway by the time the election for a successor took place; nevertheless the patrons chose Edmund Ffrench O.P. as vicar, but when it came to institution in October, the vicars protested unanimously against this intrusion, on the grounds that he was a regular and no dispensation had been shown. The vicars held the view that, since parishes were allocated in seniority, it was they who, from time immemorial, presented to these livings. The warden would seem to have been a supporter of the lay patrons in obtaining the rescript and in the subsequent dispute, for, despite the vicars' protest, Edmund Ffrench was at once sent to a country parish where only about one in a hundred spoke anything other than Irish. Fr. Ffrench spoke only English. This appointment greatly displeased the vicars as there were three other priests, who had been specifically ordained for the wardenship, without parishes. The vicars were later

to claim that the warden secured the dispensation by declaring to Rome that, through a shortage of priests, many parishes were actually vacant, and that there was every indication that this situation would continue. Thus they were later to argue against the validity of the rescript.

The Tribal arrangement was merely a provision for the death of Warden Bodkin which took place in 1812. On the strength of the rescript, the patrons, on 26th October, proceeded to elect Edmund Ffrench to the position of warden. But when they presented him to the vicars for institution on 9th November, they were refused, as the vicars "had come to no Resolution at present to institute the said Revd. Edmond (sic) Ffrench alledgeing (sic) that doubts arose in their minds from his being a regular."

Two days later, 11th November, the electors sent a formal complaint "from our council hall", and signed by 28 Tribal leaders, to Archbishop John Troy of Dublin. They asked him to seek confirmation from Rome for the election of Ffrench and an assurance that Charles Ffrench and John Fallon were still eligible for election to the college. They explained that there was a precedent; in the reign of Charles II, Gregory and Henry Joyce, both regulars had been granted a dispensation and had been subsequently elected.

The vicars continued to refuse institution or recognition to the warden-elect pending a reply from Rome to the Tribal petition. Denis Mannin, whom they had chosen as vicar-capitular on the death of Bodkin, continued to rule the wardenship and to represent the area at episcopal conferences. He sat with the bishops of Ireland at the various meetings which discussed the veto question, so that he and the college were well informed about the more famous Quarantotti veto rescript. He signed a joint pastoral of the hierarchy of 26th May 1813; it successfully opposed the grant, on the grounds that it had been given in the absence and without the permission of the pope. The outcome of this episode was to have a bearing on the attitude adopted by the college towards the Galway rescript.

On 18th June 1813, when the Galway question came before the Propaganda, Edmund Ffrench was confirmed in his office as warden, this time again under the signature of J. B. Quarantotti. As Denis Mannin, Vic. Cap. wrote in his diary which he began in 1813 "Since there was no

present remedy, and for the sake of peace, to avoid offence to the people and out of reverence for the Holy See", the vicars granted institution to Ffrench on 30th September 1813. They were unable, at this stage, to have further recourse to Rome as they had no agent or correspondent there, but they reserved the right to appeal to the Holy See as soon as the Holy Father was accessible. It will be noted that there was no question of having recourse to the archbishop of Tuam, because the see was still vacant and the position of the vicar-capitular was still in dispute.

The Quarantotti veto rescript had repercussions in Galway soon after Dr. Ffrench took office. When Quarantotti let it be known that he favoured granting the Government the right of veto in episcopal elections, there was opposition in Ireland. The Irish hierarchy, meeting on 25th May 1814, objected to any such grant and arranged that Archbishop Murray should go to Rome to make representations. The members of the bishops' conference, including the warden, were invited to contribute towards the cost of the visit, and Dr. Ffrench asked the vicars to share the wardenship assessment with him. They agreed, on 7th June, but only under protest. The vicars' objection was, that no previous warden had asked them to bear a share of such expenses. They were contributing now, "but only as a gift." "Also Galway is not concerned" they added, the implication being that no matter what concession was made to the Government, it would not affect the Galway privileges. They regarded Galway as excluded from any arrangement concerning the appointment of bishops.

Poverty may have been the reason for the warden's breaking with custom in asking for contributions from the vicars. He was in a poor parish and was dissatisfied with it. Even though he was eighth in seniority by election, he felt that, as warden, he should have the right to his choice of parish when vacant, so as to provide himself with a sufficient income. In 1814 he asked his fellow-Dominican, Archbishop Troy of Dublin, to secure permission from Rome to enable him to have the parish of his choice when vacated. Troy informed Ffrench on 22nd August 1814 that the petition had miscarried. The matter must have been appealed as it came before the Propaganda on 19th September 1814, when it was decided that the normal Galway custom was to be followed. This was clearly a victory for traditional practices and may have encouraged the vicars to appeal against the institution of Dr. Ffrench, as they had reserved the right to do. Perhaps too, the fate of the Quar-

antotti veto rescript may have encouraged them. This new effort to annul the election of Dr. Ffrench was transacted through a certain Fr. Macpherson, Rector of the Scots College in Rome, a most able, influential and experienced person. It was he who had secured the Quarantotti veto rescript, so that he was not liked by Troy, Ffrench's friend. He corresponded with the college through Fr: Dermott Noone, vicar, P.P. Oranmore.

As time was passing the vicars were anxious to appeal against the Roman dispensation allowing Ffrench, a regular, to be warden. This was all the more urgent as there was an election due in August 1816 when Ffrench might be chosen again. On 25th March 1816 six vicars, Denis Mannin, F. X. Blake, Patrick Mooney, Dermott Noone, John Lowther and Laurence O'Donnell sent a protest to Rome about the Roman dispensation. Having given a short history of the college, they said the dispensation had been an injustice to them. They claimed it had been obtained under false pretences, when the Holy Father was absent from Rome. They asked why was it, that many dioceses were left widowed and Galway, the equivalent of a diocese, could not wait? Surely such a matter was one that should have awaited a papal decision? What had they done, the vicars asked, that they should be alienated from their parishioners and held in opprobrium by their people, as a result of the Roman intervention? There was no lack of priests; no parish had been vacant through shortage of clergy. Securing the dispensation on the grounds of shortage of clergy, was clearly dishonest. In any case, they affirmed, the whole system was wrong as the electors were largely non-resident. These people were not interested in Galway's problems and were not informed of the facts. This had not been the case when the grant was first made, at which time all the electors lived in the town. The vicars also suggested that the suspicion of simony was not absent from the election of Ffrench. The vicars then summed up the charges they had made:

1. The nomination of Edmund Ffrench and the other regulars to the chapter was obtained by scandalous intrigue.
2. The dispensation secured by Bodkin was obtained without the consent or the knowledge of the chapter; this was a grave and manifest violation of the most sacred rights and laws of the chapter since its origin.
3. The first dispensation had been obtained by fraud.
4. The subsequent decree was equally fraudulent.

5. That it was an unheard of thing that a mendicant become a member of a chapter of secular priests.

Continuing, they said that if there was a lack of priests, why did they not get one of the well-qualified local religious, instead of bringing Dr. Ffrench from Dublin? He was unknown to the people and was ignorant of their language and customs. The reason was, they alleged, that they were afraid that the local religious, who were not of the Tribes, would not be obedient to their every wish. "Because of this, three mendicant religious, one domiciled in Canada, and one or two in Dublin, were appointed canons: Fr. Edmund Ffrench secured the first vacant parish, although he could barely understand two words of the language of his parishioners." This statement, taken in conjunction with the first of the accusations (above) could have given the impression that the three religious were, in fact, already members of the chapter, whereas the dispensation from Rome only permitted their election to that chapter. It does not seem to be deliberate deception, though it did cause confusion, because later in the document the vicars stated: "We abstain from speaking about the defects of Father Ffrench and the accusations, alas with foundation, of simony in his election. But we cannot hide that he has the intention of introducing into our chapter, his blood brother, also a Dominican religious." Perhaps Fr. Macpherson misunderstood the situation and made a wrong translation before presenting the document. Whether intended or not, the Roman authorities, as a result of this document, misunderstood the position.

The vicars' statement continued, that one would imagine that Dr. Ffrench was a man of exceptional qualifications; in fact, they alleged, he was quite ordinary. They wondered if he would get a dispensation from his vow of poverty. They asked that a prelate of wisdom, knowledge and zeal be sent to Galway to investigate and inform the Congregation of the true situation. Certain prelates had already compromised themselves through friendship with Ffrench. It would, therefore, be wise to send a completely neutral investigator.

Despite these efforts to have him removed, the warden set about his work in the wardenship, quietly and effectively. On 27th October 1815, he brought the Presentation nuns to Galway and now he set about replacing the Catholic collegiate church of St. Nicholas. Thanks to a bequest from a Madame Connolly of Lisbon, a wealthy cousin of his, he was

enabled to commence work, on the site of the old church in Middle St. The laying of the foundation stone by Hyacinth Daly, mayor of Galway, on 1st July 1816, was a memorable occasion, at which the wealthy and the influential, both Protestant and Catholic were present. Dr. Ffrench had many influential friends among the upper classes. In addition, he was much respected by the lower orders, two factors of considerable importance as the case of the legality of his position was being considered in Rome. It was to be urged that no matter what way the Roman decision went, Galway could not afford to lose Dr. Ffrench, if the collegiate church building was to be completed.

The position of Dr. Ffrench must have been very embarrassing, as there is constant evidence of his being treated with nothing but hostility by the vicars, all during his period of office. About 1816, the dean, Denis Mannin, entered in his records:

> "Protest by desire of the vicars: the following was ordered to be read at the altar and hung up in the sacristy at foot was addressed the ensuing protest:
> Denis Mannin, Senior Vicar and Dean of the College of St. Nicholas, Galway protests against the act of Edmund Ffrench, actual Warden of Galway. Denis Mannin on a Sunday being the Senior of the clergy who were present in the very act of giving vespers on Sunday was interrupted by Edmund Ffrench who proceeded to give Vespers.
> N.B. the three Vicars who are besides the Warden, parish priests of Galway being equally Pastors in the chapel. The Warden but *primus* inter aequales is only a Pastor in his turn in the Collegiate church, he wears Pontificals at Vespers, against which I protest."

Another cause of friction was the question of the allocation of parishes. The failure of Ffrench, twice, to get the parish of his desire, did not deter him from making a further effort to secure a more remunerative parish for himself. News had reached Rome that, despite the ruling that no change be made in existing customs, the warden had divided the parish of John Lowther, Rahoon.

The Congregation discussed the Galway question and decided to ask the pope to appoint Bishop Charles Sughrue of Kerry as apostolic visitor to Galway to enquire into the alleged abuses and breaches of the rules and constitutions of the college. The pope gave his assent to this proposal

on 7th July 1816. Cardinal Litta, prefect of the Congregation, in a letter of 13th July to Dr. Sughrue, informed him of his appointment and asked him to investigate the nomination of three regulars to the chapter, and also to find out if the rescript permitting Dr. Ffrench to become warden had been obtained by fraud. It was claimed, continued the cardinal, that the inclusion of the regulars was both against canon law and the constitutions of the college. The bishop was to find out:

1. What were the constitutions of the college?
2. Was there a lack of eligible priests?
3. Who instituted the warden and canons?
4. Did the three regulars accept institution?
5. Were the patronal families Catholic?
6. How did the alleged abuses occur?

Finally he was asked to deal with the problem of the allocation of parishes. The warden was not entitled to divide in two John Lowther's parish, when the Congregation had previously decided in favour of Lowther.

Dr. Sughrue was appointed, no doubt because of his ability and neutrality. The previous association of Dr. Teahan with Galway may also have put him in mind. Perhaps also his knowledge of the Irish language may have been another factor, especially when Dr. Ffrench's ignorance of it was being so constantly repeated. In the discussions surrounding Sughrue's appointment in succession to Dr. Teahan in 1797, his knowledge of Irish was successfully advocated by his warm supporters, the Kerry clergy. Florence McCarthy, whose candidature was strongly favoured by the Munster bishops, was rejected by the Roman authorities because of his lack of Irish.

On 4th September, Sughrue wrote to the Propaganda to inform them that he was prepared to go to Galway. Fr. Macpherson wrote to the vicars to tell them about the appointment and also informed them, on what authority it is not clear, that the bishop had been instructed to appoint a warden for life or else change the wardenship into a bishopric. Macpherson assured the vicars that if they gave the bishop the full facts, as they had given them to himself, their petition would be successful.

It would seem that Dr. Sughrue was in Galway for the institution of

30th September. He advised Dr. Ffrench to accept institution even though the vicars were prepared to grant it only under protest and once more subject to appeal to the Holy See. Dean Mannin recorded:

> "30th September 1816 Revd. Edmund French (sic) being presented by the electors or lay patrons of Galway, as appear'd by a paper bearing date 1st August last, he was instituted by the Senior Vicar according to custom but with the same exceptions, provisos and protest as before on the 30th September 1813 the same reason still subsisting and in express terms either for three years or *ad interim.*"
>
> Denis Mannin

The bishop sent a report of his visit from Killarney on 4th October. He found that the college had no written constitutions or statutes which would guide him in his investigations. The arrangements were based on very old custom. He had advised Dr. Ffrench to accept institution, but there was no question of the other two regulars being members of the college; they were merely *eligible* for vicarages. It was true, he reported, that the dispensation for the three had been granted on the grounds of shortage of clergy. Whatever about the truth of that assertion then, it certainly was not true now, and the dispensation should, quite clearly, be revoked. In fact, he explained, neither of these two regulars had been elected, as there was no vacancy. Only with the greatest inconvenience could Warden Ffrench be removed. He was very acceptable to both the Tribes and to the ordinary people. He was now engaged in building a fine church, which would never be finished without him. If the original dispensation had been fraudulent – Dr. Sughrue seems to hint that he considered it was – it had been retrospectively legalised by the apostolic rescript of 18th June 1813.

Continuing, he said that he had established peace between the warden and vicars, on the understanding that the warden would be secularised and no regular would be admitted into the chapter in future. Dr. Sughrue hoped the Congregation would see fit to assent to these recommendations. He felt it would be better if the warden were elected for life; the 'Families' had agreed when he made this suggestion to them. They wanted, however, the warden-for-life to receive institution from the Holy See rather than from the vicars.

With regard to John Lowther, the report continued, his parish had been divided with the consent of the chapter because of its large population and the distances to be travelled. All the warden wanted was that, on the death of the senior vicar, his parish would become a mensal parish, permanently. Owing to the poverty of the warden, the bishop of Kerry thought this a reasonable request.

The Galway vicars wished to see the whole system ended, but the bishop thought this would be difficult to bring about. If, after a time, it were attempted, the best solution might be to appoint a warden for life and then, on the diocese of Kilmacduagh and Kilfenora becoming vacant, the warden might, on the grounds of poverty, be appointed there also. In such an eventuality, Galway should be the episcopal place of residence. This, Sughrue concluded, would be a most satisfactory outcome.

On 8th February 1817, Cardinal Litta, acknowledging the receipt of the bishop's report, asked for clarification on certain points. He stated that the Congregation looked with favour on the proposal that Galway be created a diocese with Dr. Ffrench as bishop. It would first be neccessary to secure the written consent of the thirteen Tribes and of the vicars to the proposals. The cardinal enquired again if the patronal families were Catholic or Protestant and what was the position of the dioceses to which it was proposed to unite Galway. He was under the impression that there were three dioceses in question, *'Kellmacensis, Duacensis* and *Kilfenorensis'* and he asked if these had been already incorporated into other dioceses and if so, would their withdrawal cause further trouble.

Finally the cardinal ruled that when John Lowther's parish became vacant, it should be a mensal parish of the warden or bishop. The dispensations granted to Charles Ffrench and John Fallon were now withdrawn.

John Lowther seems to have become impatient about a decision concerning his parish, as on 28th February 1817, he wrote to Cardinal Litta. He explained that Dr. Ffrench was trying to divide his parish of Rahoon, even though he had only quasi-episcopal jurisdiction. He had, in fact, divided the parish and there were two parish priests for a few days. As a result, there were riots and there was danger that it might become

necessary to call on the army to restore order. Dr. Ffrench had, at first, the support of the vicars for his action, but afterwards they reversed their decision. When the bishop of Kerry was in Galway, Lowther wrote, he had instructed the warden not to divide the parish. Now Lowther understood that the bishop had advised Rome to the contrary. This letter from Lowther was signed by five other vicars "in testimony of the truth". On 26th April, the Congregation repeated its decision that Rahoon was not to be divided but that it become a mensal parish on the death of Lowther.

Meanwhile, Dr. Sughrue had unsuccessfully tried to get the consent of the lay patrons and of the vicars to the proposals. On 15th May, he was obliged to inform Cardinal Litta of his failure but added that some reform was still necessary. He now suggested:

1. That the warden be confirmed for life.
2. That, instead of John Lowther's parish, he be given as mensal parish, that of Denis Mannin, on the death of the latter. Lowther's parish was rural, whereas Mannin's was urban.
3. That the warden be empowered to confer parishes on priests according to their personal worth, rather than continue the present system based on seniority.

He explained that the present system gave rise to constant movement from parish to parish. When old and imbued with rustic manners, the senior clergy moved into town parishes, for which they were then unsuited. As matters stood, they had little authority and were rarely obeyed.

Dr. Sughrue said he was making these suggestions as a matter of conscience. Except for a few vicars and the lay patrons, all had asked for these reforms. He was strongly of the opinion that the chapter privileges should be extinguished and in this matter, he stated, the archbishops of Dublin and Tuam, both well versed in Galway affairs, were in agreement with him. The bishop concluded with the information that only Catholics had the right to vote in the elections and he repeated that Warden Ffrench was most acceptable, as he was engaged in the building of a magnificent church which would not be completed without him.

Cardinal Litta wrote again to the bishop of Kerry on 28th June 1817, listing the various recommendations that had been made: the wardenship

be made a diocese; the position of warden be for life; that Dr. Ffrench succeed to the parish of Denis Mannin when vacant; that parishes be collated on the grounds of personal worth rather than by seniority. The cardinals of the Congregation, said Litta, looked with favour on all these proposals but, once more, in order that all things might be transacted peacefully, they requested that the patrons and the vicars give their written consent to the proposals. Since the chapter had, from time immorial, the right to institute the warden, the members should now, of their own accord, transfer the right to the Holy See.

The cardinal stated that he had been informed that the wardenship privileges were harmful to religion and should be revoked. Yet the bishop had not indicated what the privileges were. Would Dr. Sughrue please clarify the situation? It is clear that the cardinal was not well briefed on the situation in Galway; there is also the suggestion that he was not convinced of the need for reform. Certainly, he was not going to force the issue, and perhaps, the bishop of Kerry, as a result, was beginning to feel likewise.

How the case ended is not known. All the indications are that the whole matter was dropped. None of the many proposed changes appear to have been implemented. The electoral system remained unchanged, the vicars continued to institute and Warden Ffrench remained in office, although the vicars continued to state that he was in illegal possession; they never gave up hope of displacing him. Their refusal to give up their privileges prevented any reforms and Rome was unwilling to make any changes contrary to the wishes of the interested parties.

The crux of the problem, as far as the vicars were concerned, would seem to have been, that, if the post of warden was to be made a life position, or if the wardenship was made a diocese, Dr. Ffrench would have remained, something they earnestly wished to avoid. There is some evidence that Dr. Ffrench himself terminated the proceedings.

On 4th August 1828; Mr. J. Blake of Bermingham, coming to the defence of Dr. Ffrench, stated:

> "Cardinal Litta sent an order empowering the Warden to call a Chapter to elect a Bishop or Warden for life. On Dr. Ffrench's demanding what conclusion they had come to, for he did not sit,

being interested, they said with regard to the Wardianate that they did not enter into that and with regard to the Bishopric, they came to no conclusion. The Warden then dissolved the Chapter – thus ended the proceedings of 1817"

Two persons had been notably silent during all these negotiations, Dr. Ffrench and Dr. Kelly, the new archbishop of Tuam. The former, who was busy during this period with the new collegiate church, was never one to engage actively in self-defence or controversy. The latter showed great reluctance to engage in wardenship affairs, perhaps because, before long, he emerged as an admirer and supporter of the warden, a most unusual occurrence in wardenship history. Nor was there any evidence or desire on the part of any other bishop of the western province to take part in the Galway affairs of this period. There was the inevitable lack of unity following the vindication of Oliver Kelly and his appointment as archbishop against the united opposition of his provincial confreres. This disunity developed into an open cleavage between the archbishop and Dr. Archdeacon of Kilmacduagh and Kilfenora, at a synod of the western province held in Tuam in May 1817.

The archbishop was, however, involuntarily drawn into the Galway disputes, on the appearance once more of the regular-secular funeral offerings problem. The regulars claimed that the seculars had broken every article of the pact made under Warden Augustine Kirwan. They accused the seculars of stating that the religious had no right to Remembrance Masses for people who were buried in the Order cemeteries. The regulars appealed to the archbishop in the matter, and it was brought before the Tuam synod of May 1817, by Fr. James French, O.P., Prior. This must have been a matter of great delicacy for Dr. Ffrench, because, in 1817, he was residing in the Claddagh Dominican monastery. There is no evidence that he took sides in the dispute, or even tried to settle it, but the vicars would probably have regarded him with suspicion. This may partly explain the determination with which they tried to remove him from office. The synod decided to leave the matter to be dealt with by the archbishop at his next visitation of Galway.

This visitation took place on 7th July 1818 when the regular case was pleaded by a well-known and much-respected Augustinian, Fr. Nicholas George Clayton. The archbishop suggested that a new pact be drawn up, and all assented. When both sides met, however, they were

unable to reach agreement.

As a result of his visitation, Archbishop Kelly wrote to Cardinal Litta, on 20th July, and informed him that there were continuing abuses in Galway and the only hope of ending them was the establishment of a diocese, which he strongly recommended. It could be independent or united with some other diocese. All to whom he had spoken, favoured this course. Dr. Ffrench would give up his rights; he, as archbishop of Tuam, would give up his rights in Galway, and he felt that the majority of the Tribes would do likewise. Dr. Ffrench, he concluded, would make an excellent first bishop.

When no agreement had been reached, the regulars, once more, appealed to the archbishop of Tuam. Writing next day, 11th May 1819, in reply, the archbishop expressed his regret to the regulars that he had failed to bring about a settlement. He recommended them to take the matter to Rome. For ten years this dispute was to occupy constantly the attention of the Roman authorities, and it was to be joined soon by the renewed Tribe versus non-Tribe struggle. These two controversies kept Galway continuously in the mind of the Propaganda and must have often given rise to the thought, already mentioned by the archbishop of Tuam, that ordinary diocesan government would be the cure for Galway's ills.

Fr. John Rice O.S.A., then in Rome, was appointed to represent the religious orders; there was much documentation and correspondence to be dealt with. Meanwhile, Edmund Ffrench was once more instituted as warden on 30th September 1819, this time, it would seem, without any formal protest by the vicars. The disputes with the regulars continued into 1820, and still there was no settlement in sight.

There was one minor difference between the warden and the archbishop in connection with what the warden considered to be internal wardenship affair. Without the knowledge or consent of the warden, the dean, Denis Mannin had been appointed a protonotary apostolic. This had taken place, the warden presumed, on the recommendation of the archbishop. Ffrench, who was not on friendly terms with Mannin, would have preferred had Laurence O'Donnell, vicar, been appointed.

Another problem which the warden was facing, now that the collegiate

church was nearly completed, was communal accommodation for the vicars and their curates. With his own experience of community life, he may have felt that the college priests would profit by a somewhat similar arrangement. In October 1820, he was in correspondence with Cardinal della Somaglia, pro-prefect of the Propaganda and with the archbishop of Tuam, concerning his plans for a College House. He sought their moral support for his plans. At the same time, he made an interesting intervention in the still simmering secular-regular dispute. Writing to Cardinal della Somaglia on 20th October 1820, he expressed the view that the religious orders, in particular the Augustinians, were demanding too much from the seculars.

In the varied disputes of Galway, there was a notable lack of an impartial historian who would clarify the issues involved and help towards a solution. Yet when a historian appeared on the scene, he does not seem to have been given full access to the archives. James Hardiman, who published his history of Galway on 1st November 1820, was extremely circumspect in any references he made to the Galway disputes and, in fact, made no reference at all to the more recent ones. One contemporary commentator wrote: "What a pity that Mr. Hardiman, the most talented man that Galway ever produced, had not better materials than those which Gothic Galway could have furnished."

Hardiman was probably very wise in refraining from treating of the recent history of the college disputes; the issues were live and liable to explode at the slightest provocation. Even though a religious was one of the parish priests of the wardenship, ill-feeling against the regulars was still keen.

The priests at that time of the wardenship according to *Young's Catholic Directory (1821)* were Dr. Denis Mannin V.G., vicar Galway. Rev. Francis X. Blake, vicar, Moycullen, Rev. Andrew Kenny, vicar, Galway, Rev. Patrick Mooney, vicar, Galway, Rev. Dermott Noone, vicar, Oranmore, Rev. John Lowther, vicar, Rahoon, Rev. Laurence O'Donnell, vicar, Castlegar, Rev. Michael Lynch, vicar, Galway, Rev. Andrew Henry Martin, P.P. Oughterard, Rev. Peter Ward P.P., Spiddal, Rev. P. O'Rourke, P.P., Killanin, Rev. Malachy Manning P.P., Claregalway and Rev. Henry McNally, O.F.M., P.P., Shrule.

When Archbishop Kelly intervened in the dispute at the 1821 visitation,

Denis Mannin recorded:

> "7th July 1821, M. R. Oliver Kelly, Abp. of Tuam made his triennial visitation of Galway. It being useless to detail the particulars, let it suffice to be recorded that he left matters in a worse state than in which he found them. D.M.
> It is to be noted that by Art. 24th of the late Provincial statutes, the churches or chapels of Religious houses are excepted . . . . to be considered as quasi-parochial. (sic)
> N.B. It is to be apprehended that if things continue in the condition in which they were left at the late triennial visitation, the Christian or at least the Catholic religion will soon cease in this part of Galway."

One wonders how the vicars felt on 6th August 1821, when Dr. Kelly presided at the consecration of the new collegiate church, the building of which was a great triumph for Dr. Ffrench.

With the solid achievement, marked by the completion of this building, the removal of Dr. Ffrench would have been unthinkable. Henceforward, there was only an infrequent mention of the possibility of having his election declared invalid. This particular question faded into the background, as the regular-secular dispute received more attention. This, in turn, became less important, at least to the laity, as the last great struggle of the wardenship, the Tribes versus non-Tribes, gathered momentum. From about 1821 on, this was to be the last and the greatest controversy of the Galway Collegiate Church.

CHAPTER FIVE

PUBLIC CONTROVERSY 1821-1825

It is frustrating that in the wardenship, only major disputes are recorded and those, only after they had come to a head. The desires, hopes and disappointments of the Tribesmen or their opponents rarely get mention. We are usually presented with a full-scale dispute, as in 1791, without any detail of the build-up which made the outburst unavoidable.

It is likely that agitation by the non-Tribes was renewed before 1821. Understandably, because of other pressures in the wardenship, not much attention seems to have been given to the grievances of the unprivileged. The full-fledged controversy in the press after 1823 would indicate that it was not something new. Possibly because there had been no election for a vicarage between 1813 and 1822, there may have been less provocation and discussion than was customary. But the non-Tribe grievance, although under the surface for some time, was an abiding one, and came to the fore again, in 1822.

John Connolly, a non-Tribe journalist and pamphleteer, began campaigning against the Tribes. He wrote numerous letters, sought support for a public petition and wrote many articles, to arouse the interest of the complacent non-Tribes. The cause of the renewed interest and debate may have been the election, in 1822, to choose a successor for the late vicar, Fr. Andrew Kenny. He died on 28th June 1822 in his 90th year and was buried in the Dominican cemetery. It may also have been caused by the re-election of Warden Ffrench in August 1822.

Unfortunately the local papers are available only from January 1823. Two of them were strongly anti-Tribe and a third was neutral. *The Connaught Journal* which appeared every Monday and Thursday began publication on 5th October 1754, and bore the imprint of Bartholomew O'Flaherty. In 1791 the paper was published by Anthony O'Flaherty,

High Street. In 1820, Peter O'Flaherty, at the age of twenty, became editor and proprietor of "Ireland's oldest newspaper". Later he sold the paper to his cousin Bartholomew O'Flaherty who died on 8th November 1833. *The Journal,* like the local papers of the time concerned itself mostly with foreign news and had much less space given to local affairs. *The Journal,* while very Catholic in sympathy, relentlessly opposed and attacked the electoral privileges of the Tribes.

The Galway Weekly Advertiser was edited by George Connolly, 5, High St., Galway. 40-50 copies of each issue were printed. The paper described by the *Journal* as "our Orange contemporary" was frequently critical of the college of wardenship priests and especially of the Tribes.

The Galway Independent which is available only from 1827 to 1831 was owned and edited by John Connolly, probably the above mentioned. 90-100 copies of each issue were published. For reasons unknown, the paper showed little interest in local affairs and none at all in the wardenship and its troubles.

The Catholics of Ireland were, since penal days, under the Roman direction of the Congregation for the Propagation of the Faith. This Congregation dealt with missionary countries and emergency situations like Ireland and Galway. A Cardinal presided over it and the secretary, an archbishop, could be described as the chief executive. A high-powered committee of prelates formed the board and all important matters went before them for decision. A sub-committee might at times be asked to draw up a report. An examination of their papers in their Roman archives would indicate that the proceedings were business-like. To bring about a settlement they were prepared to wait and sometimes to compromise.

By 1823 their archives had much material on the Galway secular-regular funeral offerings dispute which had once again come to the forefront. The documents of both sides were carefully prepared and printed in preparation of the plenary session. When the advance preparations had been completed both sides presented their cases. The Mortuaries dispute was once again discussed at a general session of the Propaganda on 29th July 1823. No decision was given but the archbishop of Tuam was once more asked by Rome by letter of 23rd August, to go on a peace mission to Galway. Dr. Kelly, accompanied by Fr. Thomas Feeney, President, St. Jarlath's College, Tuam, spent 6th, 7th and 8th

October in Galway trying to bring the two sides together, but without success. The regulars were prepared to accept his proposals, but the seculars strenuously objected. On 7th October, six of the vicars protested to Rome against the archbishop's proposed solution. After this failure, the archbishop asked to be excused from any further duties in this dispute. Warden Ffrench was not asked to intervene and the matter was allowed to continue unsettled. It is most probable that the Congregation regretted the absence of a bishop in Galway to deal with the case.

Dr. Ffrench seems to have been in correspondence with Rome during this year, about the possibility of raising the wardenship to the status of a diocese. The new prefect of Propaganda, Cardinal Caprano was favourable to this change, and – the Holy See was then vacant – there was no reason to think that the new pope would oppose it. These exchanges seem to have been prompted by a revival of the proposals which Dr. Sughrue had made; they may also have been prompted by the fact that Nicholas Joseph Archdeacon, Bishop of Kilmacduagh and Kilfenora, then resident near Meyrick Square, Galway, was coming to the end of his days.

Late in 1823, Fr. Michael Lynch, vicar, 'resigned', because he had given serious scandal through excessive drinking. One may presume there was agitation and controversy before the new election, because the Tribal patrons saw fit to withhold all information about plans to elect a successor. The election was held quietly in the parish chapel on 3rd November and there were three candidates for the vacant vicarage: two bore Tribal names, probably Fr. Andrew Martin and Fr. Joseph Kirwan, and a third had a 'Gentile' name. The 'Gentile', Fr. Peter Daly, was elected after a stormy session during which blows were struck. When someone proposed making radical changes in the system of election, he was accused of aiming at the extension of the elective franchise to the fishermen of Claddagh.

The *Connaught Journal,* on election day, expressed pleasure at the prospect of a non-Tribe being chosen. The paper said that although the scrutiny was not yet complete, there was no doubt about the outcome. The new vicar, none of the papers thought it necessary to give the winner's name, Peter Daly, richly deserved his victory. His election was a tribute to the wisdom of the electors; nevertheless, the paper still opposed the

system. They had for years campaigned against Mr. Daly M.P. for allowing hordes of non-resident freemen vote away the municipal rights of the citizens. There was a parallel in the case of the Catholic corporation, except that in this case the situation was worse. The grant of 1484 gave the right to vote to none but inhabitants, and now, many of the voters were non-resident. The writer also questioned the claim that it was to the Tribes the original grant had been made: "for being the only inhabitants of Galway in those days, they seized upon it as their exclusive right ever since, and have made cyphers of their fellow-citizens".

The paper criticized the fact that they had to watch local gentry from Roscommon and Mayo elect a spiritual guide for them; all the locals had to do was to *receive* and *support* their successful candidate. It was unjust.

On 8th November, 1823, a letter was published in the *Advertiser* in which the non-resident freemen and other electors were denounced by 'Non-Tribe Catholic'. He was present at the election and saw many of the electors

> "just arrived from all the ambient villages . . . . from the tops of the Killeries, and others had journied even from far-famed Crow (sic) Patrick. A great abundance there was of those well-dressed, respectable, privileged, high-born gentry: to whatever side I turned, whether to the right or to the left, wherever I moved, I was sure (Pardon me, Sir, unwillingly indeed) to tread uncourteously on the great toe of an *Elector.* I was no *Elector;* who would turn out to be the victorious party was of the least concern in the world to me."

The writer condemned the situation where 100-150 people, about half non-resident, could elect a clergyman to govern the conscience of 50,000 who, to make matters worse, had to support the one chosen. He hinted that there had been simony in the obtaining of the original grant but quickly added that he was not attacking the Tribes, many of whom were his friends.

He came to the defence of the people of the Claddagh who "may not . . . . be as polite as certain folks are among the Tribes and non-Tribes but never at any rate did we hear of their dealing out fisty-cuffs

to each other in the house of God."

To conclude he expressed his frustration at the situation in the parish chapel which he had helped to build and support, but where, on election day, he became a non-entity. Words failed to describe the indignation he felt at seeing a cobbler named Nolan being allowed to vote.

The death of the bishop of Kilmacduagh and Kilfenora, Nicholas J. Archdeacon, which took place on 28th November 1823, in his Galway apartments, was an event of the utmost importance for the wardenship. Dr. Sughrue, it will be recalled, had recommended that when the two dioceses became vacant, they might be united with the wardenship. Thus, the wardenship privileges were once more in danger and this fact was to be increasingly reflected in the newspaper columns.

On 11th December, a long letter from 'Eudoxius' was published in the *Journal* in reply to the letter from 'Non-Tribe Catholic' already published. The writer suggested that in the present *crisis,* there should be no agitation for non-Tribe rights "at a time when *unanimity* against the common foe is so very essential".

He agreed entirely with the correspondent that it would be inconsistent to defend non-resident suffrage in the wardenship election and yet attack the right of non-residents to elect members of Parliament. But the facts of the case were different, he explained: the *objection* to the electoral rights of the non-residents *had never* yet been *formally* urged at the time of an election. He held that when an objection would be made, it would be upheld. The non-residents would claim immemorial usage but it would be pointed out that it had developed from a necessity which had long since ceased. The grant was made originally to the corporation; therefore, it was not something that could be inherited. By church law, the corporation officers were bound to reject the non-resident votes. The right had been granted to the officers and equals (pares), which the writer took to mean 'freemen'. A freeman as defined by an act of Parliament of 1485, was a 'continual inhabitant'. He held that in 1656, all the ancient inhabitants of Galway had been forcibly ejected from the town. A new corporation, exclusively Protestant, took its place and, by a charter of Charles II of 1676, was empowered to admit non-resident freemen. This, he claimed, had no force in the Catholic corporation. The latter body in admitting non-resident freemen, had violated

the rights conferred on the 'resident Roman Catholic Corporation of Galway'.

His explanation of how the practice of non-resident suffrage developed in the Catholic corporation was, that by the Williamite treaty the Catholics retained their rights in the town for about ten years. In 1708, however, the mayor, Richard Wall, banished Catholics from the town and imprisoned all the clergy. While banished, the voters, now all non-resident, continued to elect a Catholic college. When it became possible for Catholics to return to town, the non-resident voters continued to elect the members of the college. 'Eudoxius' believed that if an objection were lodged, this illegality would be discontinued.

In the same issue the editor begged to differ with 'Eudoxius' and said that the *present crisis* was a most suitable occasion for discussion. He agreed with the correspondent's view-point that the Tribes could not *inherit* their right to vote. They had usurped and monopolised it and wished to retain it, while demanding reform of the legal corporation. The writer castigated this cynical approach and claimed it was not the least imprudent to denounce it. It was to be hoped that the whole rotten system would soon come to an end.

Finally, he attacked the idea of possession by *usage*. There was no legal basis for the *usage;* the original grant had not been given to the Families. They had usurped the privileges and obtained charters "by representing the poor native Irish as an untamable race who required strict coercive government." They had passed bye-laws that drove the Irish out of the town and, eventually, they had got complete control. While demanding independence in the legal corporation, the Tribes would "placidly lurk off to the Parish Chapel and 'do the deeds' similar to those against which they had used their rhetoric."

A very sarcastic petition from the non-Tribes to the Tribes, appeared in the *Advertiser* of 20th December 1823. They assured the Tribes that their rights were divine and that the non-Tribes craved only equal participation in their truly glorious constitution. They said that they were supported by the opinion of John Lynch Alexander, the Catholic 'corporation' town clerk whom they called Johnathen Finch, All-Eggs-Under-The-Grate (Alexander-The-Great!). As a result they wished to denounce any interference by the Holy See which they were determined

to oppose with all their might.

The reference to "crisis" and "interference of the Holy See" can only refer to what must have been common talk, namely the union of Kilmacduagh and Kilfenora with the wardenship since Dr. Archdeacon died on 28th November 1823. Meanwhile, Dr. Ffrench continued his work with energy. In January 1824, he purchased the Lombard Barracks to house the Galway Male Free Schools, and made certain alterations in the building.

The Kilmacduagh and Kilfenora clergy were thinking along the same lines. At a meeting of 13th January 1824, in the new parish church, Kinvara, they unanimously asked that Warden Ffrench be appointed to the vacant dioceses. Archbishop Kelly presided at the meeting, and, on that day, joined twenty-three priests in petitioning and warmly recommending Ffrench to fill the vacancy. Bishops Waldron of Killala and Tuohy of Limerick were in agreement with this proposal, he added. It was only then that the archbishop informed Rome of the death 'a few days previously' of the late bishop. Of Ffrench he wrote: "he is potent in word and deed and I have no doubt but that he would be completely acceptable to both clergy and people." The Congregation, however, was not to be hurried. They replied, asking that two more names of suitable candidates for the vacant dioceses, be forwarded.

Back in Galway, the newspaper correspondence continued with three letters written by 'Gentile' to the *Advertiser.* The first letter was addressed to Patrick Burke, Esq., Danesfield and dealt with the 'monopoly of the prejudiced, bigotted, ignorant, gothic, illiberal Catholic Corporation of Galway'. It warned that another election would soon take place (no doubt if Dr. Ffrench were transferred) and that the non-Tribes must be ready. He made a bitter attack on the Catholic corporation and explained that in doing so, he was not attacking the Church. He stated that Pope Innocent VIII had never mentioned the Tribes. Why were the De Burgos not included among the Tribes? The authority of the pope in this temporal matter was not acceptable. "This Barbarous Vassalage must cease."

The second letter was addressed to "the Hon. Mr. Johnathan Finch All-Eggs-Under-The-Grate." This was a further attack on the Tribal corporation. The writer asked the Tribes would they give voting rights to the non-Tribes in the next election – "you who receive with open arms

the mountaineers from Malbay and Joyce country."

The final letter was addressed to the 'Respectable and Important Union of Trades'. He advised them to agitate to get back their spiritual rights, "for they who would be free, themselves must strike a blow" – he quoted O'Connell approvingly. The time was approaching for the election of a new warden and vicar; 'Gentile' wished to know who would be the 'Electors'. "The non-resident portion of the Israelite gentry will flock in, of course, according to custom to take a share in the election. Malbay and Joyce country will disgorge their regular quota". Would the men who gave weekly pennies, or alternatively, a week's wages, allow these people to continue in their privileges? Because of the fact that the non-Tribes supported their clergy, they should take an interest in the election. They should learn a lesson from the incident of Swift and Wood's half-pence. "The regulars favour their claim; that the seculars do not is a very great wonder". He concluded with the hope that Mr. Patrick Burke, a Catholic and a magistrate, would provide leadership.

The appointment of Dr. Ffrench to the vacant dioceses was not as imminent as 'Gentile' would seem to have thought. The situation was complicated by the appearance once more of the regular-secular dispute, in which the archbishop did not wish to become further involved. It would seem that Dr. Kelly wished the Congregation to appoint Dr. Ffrench to the vacant sees. As bishop, he would retain the wardenship and would be in a stronger position to deal with the dispute. The archbishop would then have no further obligations. In one of his letters to Rome, the archbishop had stated "that the religious orders mind their own business." The Congregation, meeting on 23rd February 1824, were perplexed by this suggestion and, on 6th March, wrote to Dr. Kelly for elucidation.

The archbishop did not reply to this query, but on 27th March, he sent on the requested three names. Before suggesting others, however, he repeated his strong recommendation that Dr. Ffrench be appointed. He suggested, alternatively, Canon Patrick Nolan, P.P., V.G., Balla, who had studied philosophy and theology at Rome and Paris and secondly, Francis Xavier Blake, vicar of the wardenship, who, although old and in bad health, had the prudence, knowledge and piety for the episcopate. The archbishop could hardly have been serious about this last suggestion. Fr. Blake, aged 66, was in bad health and on the point of retiring from his parish of Moycullen, which he did the following May. Perhaps the

sending of his name was an effort by the archbishop to improve Dr. Ffrench's chance of appointment.

In order to secure more information, the Congregation wrote to Archbishop Laffan of Cashel on 1st May. His reply, of 8th June, was that he was fully in agreement with the appointment of Warden Ffrench to Kilmacduagh and Kilfenora. He did not consider himself competent to pass a judgement on the suitability of the others, Nolan or Blake, as he was only slightly acquainted with them. He proposed the name of Dean D. I. Ryan, P.P., V.G., Cashel, who went to Rome in 1822 concerning the appointment of a new archbishop and who created such a favourable impression there.

As a result of these two strong Metropolitan recommendations, the Congregation decided, on 26th July 1824, that Dr. Ffrench be appointed. The nomination was accepted by the pope on August 2nd. The brief of appointment was dated August 24th. This information was conveyed by the prefect to Dr. Ffrench, in a letter of 4th September, but there was not a single word mentioned in the letter of appointment as to what would be the position of the wardenship in the new scheme of things. The information was not released to the public, concerning Dr. Ffrench's appointment, nor does word seem to have leaked out. The question of Galway was brought to the notice of the Congregation by the archbishop of Tuam, in a letter of 4th November. He petitioned that, on the grounds of poverty, the new bishop be permitted to retain the wardenship. He informed the Congregation that the areas were contiguous and that Dr. Ffrench, residing in Galway, would still be living in the middle of his people. He was careful to add, that, should Rome decide to grant the request, Dr. Ffrench's retaining the wardenship would depend on his re-election by the lay patrons. Dr. Kelly, however, felt that the electors and the ordinary laity would be pleased with this arrangement and that it would lead to peace and the benefit of religion. The archbishop concluded with warm praise of the character and accomplishments of the bishop-elect.

The possibility of uniting the wardenship with the two dioceses, was discussed in Rome about this time. Fr. Michael O'Fay, a Kilmacduagh priest, then resident in Rome, was invited to present a report on the matter. He agreed and explained about the poverty of Kilmacduagh and Kilfenora. He said that no bishop there had sufficient for his upkeep,

but had to depend on relatives or on his private means to supplement his income. Fr. O'Fay was under the impression that a decision had been taken to unite the three areas.

The petition, which was presented to the pope on 7th December, received his assent: Dr. Ffrench could retain the wardenship but without prejudice to the rights of the lay patrons and on condition that he could take adequate care of the three areas. It was up to the archbishop of Tuam to see that these conditions were fulfilled.

The problem of the right to vote came to the fore, again, on the death of Denis Mannin in October 1824. He died on 8th October 1824 "without the means to defray the expenses of his funeral". On Sunday, 7th November, Edward Goode, the clerk of the parish church, read an announcement at last Mass that the Catholic corporation intended to elect a successor to the deceased vicar. The notification was signed by the two Catholic sheriffs, James Joyce of Newtownsmith and Mark Anthony Lynch of High St. This brought sarcastic comment from the *Journal* next day, when it was pointed out that both these men had attacked the monopoly of James Daly in the legal corporation and deserved well of the people because of their spirited opposition. It was surprising, then, to find them acting in their present capacity. London, Dublin, Cork and Waterford had only two sheriffs each, but Galway, 'the flower of the West' had four: Browne, Whately, Joyce and Lynch. Not only that, but Galway had two recorders etc. "Heaven knows that one Corporation at a time is quite sufficient."

On the following Thursday, 11th November 1824, the *Journal* returned to the same theme, under the heading "The Catholic Corporation/Political Feelosphers". (sic) The 'antient' families would meet in a few days to exercise their 'undoubted right' of choosing a vicar. The mayor, sheriffs and town clerk would be there decked out in their respective regalia. The parish clerk would call out the names: Athy, Blake, Bodkin, Browne, Dean, Darcy, Lynch, Joyce, Kirwan, Martin, Morris, Skerrett, Ffrench . . . . but no mere Irish name like O'Shaughnessy. The writer found it difficult to know whether to be serious or facetious, regarding the Tribes and their childish bauble, the Catholic corporation. Despite the fact that each man, who could afford to do so, supported the vicars, he was not allowed to take part in the elections. Unlike the Tribes of Israel, the Galway Tribes were united in preserving their privileges. Their monopoly

was as unjust as that of Mr. Daly which they were opposing.

On Sunday, 21st November 1824, Fr. Andrew H. Martin, P.P. Kilcummin, was elected vicar. The usual air of conspiracy, which surrounded elections, was present. Although arranged for 1 p.m., it took place at 12.30 and was over within half an hour. Mr. John Lynch Alexander was in the chair and seconded the nomination of Fr. Martin which had been proposed by Mr. Nicholas Browne.

In the course of the meeting, Mr. James Morris, a prominent figure in the controversies of the Warden Joyce era, proposed that, because of changed circumstances, it was unjust that they should retain their privileges. Also, they appeared inconsistent: they were opposing certain penal restrictions and simultaneously they claimed privilege for themselves in regard to the wardenship. He proposed that they petition Pope Leo XII to withdraw the powers vested in the Tribes and leave the election of the warden and vicars to the chapter or to whomsoever the pope might decide.

This proposal was indignantly rejected. Morris, then, suggested that the privileges be extended to one or two hundred of the leading Galway citizens.
"No", said the mayor "you would make a pot walloping concert out of it."
"You would have whiskey drinkers polling", said the town clerk. One of the sheriffs remarked that the proposal came with bad grace from a man who was a supporter of Mr. Daly.

Another issue of the *Journal* described Sunday's election as an insult to the Catholics of the town. "If the people left the support of the clergy to their Honours, they would soon change their tune." In another issue, an address from James Morris to the Tribes was published, in which he gave the reasons for his proposed petition to the pope. He did not expect success but, perhaps, he had laid the foundation for justice. He stated that the Protestant legal corporation was more liberal than the Catholic and as evidence of this liberality, he pointed out that a Catholic was in charge of the Protestant archives.

When the Bull was issued, he continued, Galway had 3,000 people and the rights of election was vested in the *pares* or equals. With a ten-fold

increase in population, the situation had now altered radically. Some additional families had been made free e.g. the Quinns, Nolans, Fallons and Berminghams. Why, at this stage, not make further additions? The United States had grown from thirteen to twenty-four. Had the Galway families added further to their numbers, they would have become known as the 'United Families' instead of being called 'Tribes' by Cromwell's soldiers.

Morris concluded by listing some alleged electoral abuses in the wardenship. Gentlemen to whom the franchise had been extended and had been exercising it for seven elections, were on a recent occasion, denied the vote. The non-resident voting system was unjust, just as canvassing by ladies was a scandal. The argument that the system worked well and should, therefore, not be disturbed, carried no weight. The same could be said of Parliament and the legal corporation; yet, in those cases, it was quite clear that reform was needed.

The non-Tribes decided that the time was ripe for further agitation to secure reform of the Catholic corporation. An article in acid terms, appeared in the *Journal* of 29th November, under the headings 'The Galway Families!!!/Watch out Tribes'. It warned of a non-Tribe meeting in the near future at which a decision would be taken to leave to the Tribes, *exclusively,* the payment as well as the election of the clergy.

The same paper, one week later, announced a non-Tribe meeting for Wednesday, 8th December, at Connolly's Great Rooms. Many leading non-Tribesmen signed the notice convening the meeting, notably John Burke Francis, Patrick M. Burke of Danesfield and Richard Adams. The paper, commenting, said the people would not be humbugged by those who were demanding rights from James Daly, but were refusing to give them themselves. Once more, it was explained, that the rights were given to the *pares.* By passing repressive bye-laws, the Galway Norman colony succeeded in securing exclusive rights for itself.

> "At the market-place they should be first served; and if one of the good-natured inhabitants presumed to question their right to a priority of purchase, his Worship the Mayor shewed him THE LAW where it was seriously laid down that a Ffrench, a Blake or a Martin had a right to the turf, the fish or the cabbage, prior to Burke, Adams or O'Connor. Here were 'modest and civil people'

to a vengeance."

They made it a penal law for any of the 'mere Irishry' to remain within the walls after sunset. "It was by such means as these – it was at the point of a Bodkin or a bayonet – they became exclusively the Corporation .... we have not done with this matter."

A 'numerous and highly respectable' gathering met on 8th December, with John Burke Francis in the chair, the only surviving veteran of the 1792 struggle. The non-Tribes stated that, once more, after a period of culpable inactivity, they were determined to fight against Tribal privilege, which had been seized illegally by those in possession. They decided to petition Pope Leo XII for reform, and a committee was established to collect signatures for a petition. This committee was to seek a meeting with the members of the college to ascertain their views. The committee were also to endeavour to get the support of the *resident* Tribes-men, some of whom had already indicated their sympathy. They agreed to open a subscription list to cover expenses.

The paper commented that the non-Tribe struggle was now coming to a close, and noted that, curiously, it was a Tribesman who was largely instrumental in bringing about the change. The writer felt that this man would continue his good work to bring about an end to the unjust system, "that as the branches are already decayed – as the tree puts forth no good fruit – so will he with the cooperation of those whose cause he has espoused, cast it into a consuming element where its seeds shall never more regenerate."

The unnamed person was, without doubt, Mr. James Morris, now the object of Tribal suspicion. After the non-Tribes had met, the Tribes assembled and at the suggestion of the town clerk, Morris, now called the 'black sheep' was asked to leave. At a later meeting, they decided to ask the non-Tribes to petition the Holy See to grant power to themselves (the Tribes) to admit fifty persons, as tenants for life, into the Tribal corporation. They themselves were not prepared to ask for this permission. This proposal was construed by some as an effort to get the non-Tribes to admit the right of the Tribes to their privileges. There is no evidence that any heed was given to this Tribal proposal.

After the non-Tribes had met, the *Journal* also commented. They

said that the fact that the Dublin *Correspondent,* the Ennis paper and the *Evening Post* were reporting happenings from Galway, should really open the eyes of the Tribes. "It is absolutely roast meat to their enemies, to the Bigot, and to the Orangemen to find a Catholic Corporation holding forth the example of illiberality and exclusion. How, they say, can you blame us? Here is perhaps the only Catholic Corporation in Ireland refusing to admit their fellow-Catholics and fellow-Citizens – not to places, pensions, property and power; no, but even to the right to vote for their own clergy." The commentator held that no case could be made for maintaining the *status quo.* At least one hundred respectable citizens must be admitted to the Catholic corporation, although the more extreme asserted that one hundred would not satisfy them. There was no question, of course, of giving the vote to everybody. The privileged would disarm the opposition's criticism if they now extended willingly, to a limited degree, their privileges.

The writer continued that it was unfair that non-residents – people from Mayo, some of doubtful origin and with no knowledge of the candidates – should have a vote, while respectable 'dues-paying' people in Galway had no such rights. Were the intentions of the original grant followed, the Galway Catholic corporation would now be composed of leading citizens of the town "instead of the Ffrenches and Lynches from Mayo, Roscommon and Clare." The writer appealed for the admission of 100 respectable citizens; the number of non-resident voters should be severely curtailed. If the Tribes desired emancipation, they should begin by emancipating their fellow-townsmen.

There were some who wanted all privileges ended and who would be sorry if the dispute were settled. They wanted to ask the pope to establish a bishopric with normal church government. Even then, they were watching the outcome and refused to join in the proposed petition for reform. *They* hoped for a bishopric; *the writer* hoped that the wardenship would continue.

James Morris entered the fray with a long letter in the *Journal* of 23rd December 1824. Addressing the non-Tribes of Galway, he expressed his pleasure at their reaction to his initiative. He was, moreover, gratified at the Tribal response; no effort had been made to justify the exclusive Tribal privilege. It was merely stated that the system was justified because good priests had always been chosen since the original grant

was made in 1484. But, said Morris, Hardiman showed that the Deane family came only in 1498, the Brownes in 1540, and the D'Arcy family in the reign of Elizabeth.

He granted that good clergymen had been chosen, but that was not due to the system. Were the regular clergy not exemplary men, priests like Clayton, and Tierney, whom the first Protestant families in the country were honoured as visitors? Morris did not question the existence of the original Bull as an archbishop of Tuam had done. He attacked the non-resident voters: what interest could they have in the privilege of voting? He considered that they rather thought it a nuisance to ride twenty or thirty miles, at the solicitation of a friend, to vote for a clergyman they had never seen; which obligation was probably repaid by an invitation to dinner at the ensuing assizes. If voting was the right of country gentlemen, why not extend it to all country gentlemen? Why not grant it to Lord Riverstown, to Sir John Burke of Marble Hill and Glinsk, to the Redingtons, Donelans and Dalys? The answer was that Mr. Darcy of Woodville, Kilchreest would prefer riding twenty miles east to a fox-hunt than so far west to vote for this or that priest, whose rival might, nevertheless, be returned in the petticoat interest. "What a system where one man born in Ohio voted, another from Hindostan, others frequently from France, Spain, the West Indies. Soon Brahmins, Cherokees and Laplanders would vote". No doubt the justice of the system would be asserted, a system which refused to elect a clergyman, who despite fifteen years pastoral work, had been passed over on five successive elections. It may have been Fr. A. H. Martin, P.P. Castlegar.

The situation was ridiculous. Morris once met a man named Bodkin in Limerick who enquired from him about the Galway system of election, as he and his son had been invited to vote there, with all expenses paid. When he was told, he said he would feel ashamed to take part in such a 'seriocomic burlesque'.

On another occasion, a poor perambulating country tailor of doubtful honesty, but possessing a Galway name, was allowed to vote, while a very respectable non-Tribe merchant was prevented. Morris concluded with the hope that the non-Tribes would achieve equality at least with the Tribes.

The non-Tribes approach to the college seems to have been unsatis-

factory because the members were non-committal. Just at that time, the clergy appealed to the people for subscriptions towards the internal decoration of the new parish church. The reaction of one non-Tribesman was to appeal to his fellow non-Tribesmen to draw close their purse strings.

A meeting would appear to have taken place between Tribes and non-Tribes at which the Tribes made certain proposals to effect a settlement. These did not satisfy the non-Tribes who decided to take the matter to Rome and upset "that self-constituted anomaly, the Catholic Corporation." One hundred guineas were collected and Fr. Francis J. Coughlin O.P. was sent to Rome to represent the non-Tribe interests there. The impression given by the petition he brought, a copy of which is not available, is that the non-Tribes wanted the privileges extended to themselves or else completely abolished. This gave rise to the obvious question as to whom among the non-Tribes the privileges should be extended.

John Connolly wrote and published a strongly-worded pamphlet *The Galviad* in 1825. The title page describes the purpose of the booklet. *The galviad or Epic Epistles on the political and ecclesiastical affairs of Galvy (sic), Addressed to the Honorable (sic) John Lynch Sandy, Clerk of the Crown and the Peace of Galvy's Catholic Corporation.* By John Connolly: Epistle 1, 15th January 1825, 24 p.p. 500 copies. There are only two known copies of this pamphlet in existence. A second letter was written but, apparently, never published.

Connolly's lively and personal account describes the effort to gain signatures for his campaign:

> "The Messrs Burke of Back St. refused to sign; Mr. John Ireland refused; he was 'busy'. Mr. Burke of Danesfield did not refuse, he was not then in Galvy. A rectangulared-faced big-mouthed booby in High St. refused. One man was willing to sign only on condition that fifty names should be crowded before him, in order that he might lie hid in their shade. A second refused for that he had a grandmother who had a cousin-german who was of the SEED. A third was afraid to cause offence. A fourth candidly admitted he was about to marry a Tribes-woman."

Connolly saw in the embassy to Rome, not an effort to reform the

position but merely a move to have the privileges extended to a limited number of non-Tribes. Connolly, though an active member of the reform party, was anxious that the unique Galway privileges should not be abolished. He feared that the embassy to Rome might lead to this and it was this possibility that inspired him to write his stinging pamphlet, *The Galviad* in which he denounced those who would endanger the Galway privileges. Not for a moment that he favoured the Tribes, but he felt that the non-Tribe leaders were, fundamentally, just as selfish since they had no intention of extending the vote to all the people.

Connolly seems to have been the only person who suggested that all Catholics should have the right to vote. In view of his alleged links with Orangeism and the ferocity of his language, one might suspect sabotage and insincerity in his pleading.

Connolly said he was taking sides with neither party and at the beginning of his first epistle quoted Lord Byron:

> "The consequence is, being, of no party
> I shall offend all parties:- never mind!
> My words, at least, are more sincere and hearty
> Than if I sought to sail before the wind.
> He who has nought to gain can have small art: he
> Who never wishes to be bound nor bind
> May still expiate (sic?) freely as will I
> Nor give my voice to slavery's Jackall cry."

Galway's loyalty, the much-vaunted pride and joy of certain people, he treated with utter scorn and heavy sarcasm.

> "But as faith without good works is dead, so would Galvy's (sic) loyalty or chastity remain a sterile virtue, were it not that she is able to show . . . . to the world two things of her creation; she can hold up for the admiration of ages what no Burgh, or Burrough or Canton or Town or Village or City has ever witnessed: she hath, in fact, a pair of CORPORATIONS, the like of which our planet never before hath seen".

The legal corporation was not to be the subject of his comment; rather did he wish to express himself on the subject of the Catholic corporation.

He said that if the monopoly were to continue, it were better that it should continue unaltered rather than admit 100 non-Tribes. "If there be exclusion, let the stupid, untoward, non-Tribes be excluded." Not that he had much respect for the Tribes: "I never doffed my hat to you or any of your gothic gentlemen, I never bent my knee to your pewter sword and mace" . . . if such things existed. He had never, while denouncing the Tribes, been ready, at the same time, to join them in their privileges, as the non-Tribe leaders were. These non-Tribe leaders, whom he described in their own words as 'the men who rose after a period' were the chief object of his attack. Their actions were an insult to all other non-Tribes in Galway. They did not want reform; they wanted a share in the privileges.

The non-Tribe leaders did not want the tradesmen, mechanics or honest industrious fishermen of the Claddah (sic) to have a share in the Galway privileges. Their leaders had threatened, however, that if the Tribes did not heed their petition, they would "trample under foot the privileges altogether." They would send an envoy to Rome "and dispossess you of a right in which ye judge us unworthy to participate; that with a hundred GUINEAS, and no more, we will annihilate the liberties and immunities of the Church of Galvy and make her dependent on the Diocese of Tuam or transform her into an obscure Parish of obscurer Kilmacduah (I think it is so, they write this barbarous word) . . . Such is the prayer of the 'men who have risen after a period'." He praised the Tribes for rejecting 'this mean aristocratical prayer'. In fact they had informed the non-Tribes with great naivete that they had not in their power to extend the freedom of the Catholic corporation. In lavishing praise on the Tribes, it is difficult to know if the writer is in earnest; the non-Tribe leaders, he simply described as ignorant.

In his examination of the history of the Tribes, Connolly wondered if they were sprung from the Trojans or the old Castilians or had they Moorish blood in their veins. Others held that they were descendants of the Gauls.

> "Many were the cities in Europe and Asia Minor which disputed with each other the honour of having given birth to Homer; and one might be induced to conclude, from the foregoing accounts, that the real root of your stock is involved in a similar obscurity – the fate of all great people."

It could be established historically that the Tribes were English, who had come to Galway for the purpose of gain.

In the early days of the town, Connolly felt sure, there was no distinction between Tribe and non-Tribe. In those times, the non-Tribes played a prominent part in civic affairs both before and after the 1485 charter was granted. He was unable to say how the division between Tribe and non-Tribe came about.

In December last, the non-Tribe leaders had taken measures obviously intended to put an end to the system, Connolly claimed. They wished to deprive the people of Galway "of a privilege which certainly exists somewhere". In 1791 when they had elected Denis Mannion (sic) as warden, and produced a temporary schism, "they . . . did everything which they ought not to have done and omitted to do that which common sense or reason should have dictated. No blame, however, attaches to these 'respectable men' . . . They acted from an honest impulse, and if they erred and if they failed, we must place it to the account of ignorance alone, pure native, simple, Galvy ignorance." They should have realised that every Galway man had the right to vote at the ecclesiastical elections.

When the non-Tribes were appealing to Rome to restore to them their rights, they should have known that no pope ever deprived them of that right. The original grant had been made to all the laity. "This privilege was to descend not indeed as an 'heir loom' (sic) from one family to another but as the just inheritance of the poor and the rich, of the merchant and fisherman, of 'superiors' and 'inferiors', of the tradesman and him who boasts of gentle blood. It would be an insult to the Holy See, and a shocking libel on the ecclesiastical polity of our Church, were any person to assert, that the Pope in granting the 'Bull' had an eye to the thirteen Families of Galvy. No, Pope Innocent VIII did not say, 'I confer upon Back-street, rights, privileges and immunities, which I deny for ever unto Middle-street. I make Shop-street free and condemn Market-street to perpetual slavery'."

The monopoly of the Tribes, he claimed, was the result of neglect, apathy and ignorance on the part of the ancestors of the non-Tribes. He then gave the history of his own efforts to encourage the non-Tribes into action. It was up-hill work and the outcome was clearly not as he had hoped. In his second epistle, he proposed to deal with the sending

of the non-Tribe representative to Rome.

His epistle ended with a post-script entitled "TRIA JUNCTA IN UNO!!!" He had just heard a rumour which was being industriously circulated, that a rescript had arrived from Rome confirming the union of Galway with Kilmacduagh and Kilfenora, and empowering one person to hold all three positions. He did not believe that the report was true; if it were, such an arrangement would be unjust, illegal, absurd and uncanonical. "It would put an end for the present, to all fair and honourable competition among the eight vicars; it would be a preliminary step towards annihilating the lay patronage altogether; let the Tribes look to that . . . We have often been told that the Wardenship of Galway required an active, able-bodied, talented clergyman to discharge the duties of that office." How then, he wondered could one man fulfil his duties, being also head of the united dioceses? "If, however, talent and activity alone, can be a sufficient ground to justify the anomaly, none can be more active or talented than the present Warden." He would prefer Galway to remain separate. "Let the Warden be chosen from the eight vicars. I don't care by whom – let the privilege at any rate remain somewhere."

Should the rumoured new papal arrangement be true, they would, of course, yield. It would, at least, "put an extinguisher on the men who rose after a period." The pope would dismiss Fr. Coughlin and his petition, which was written in Italian. The writer denounced their ignorance and lack of knowledge of accepted usage that led them to send a petition in Italian rather than in Latin. He claimed they could not muster enough Latin between them "to give some respectability to their low sentiments." The envoy would return having spent the money and the 'men who rose after a period' would be the object of derision.

The rumours proved true. On Monday, 17th January 1825, the *Journal* announced the appointment of Warden Ffrench as bishop of Kilmacduagh and Kilfenora. By a papal Brief, he would continue to be eligible to hold office as warden. The paper expressed itself pleased at this announcement. Meanwhile the controversy continued unabated in the local press.

'Tribe' expressed his views in two letters to the *Journal* of 17th and 24th January. He said that it was now fashionable to attack the Tribes; even one of their own had done so. But the Tribes had not bothered to reply; their rights were too obvious. However, 'Tribe' wished to clear

them of the accusation of illiberality and inconsistence. The Bull, which was originally obtained at great cost, was confirmed as a Tribal privilege in the days of Warden Bermingham. Custom, prescription, and papal authority confirmed the legality of their possession. It was only right, and natural piety demanded that they strive to preserve these privileges "which the piety of their fathers had bequeathed on them as their most precious inheritance and which their ashes demanded of them to preserve, rights unique of their kind, to which a lapse of more than three hundred years had given a venerable majesty and a hoary grandeur that may extort the admiration and perhaps excite the envy of every other Church in the universe." He proposed to deal with each non-Tribe argument in turn:

1. the inconsistency of the Tribes.
2. the terms of the original Bull.
3. that those who pay clergy should also choose them.

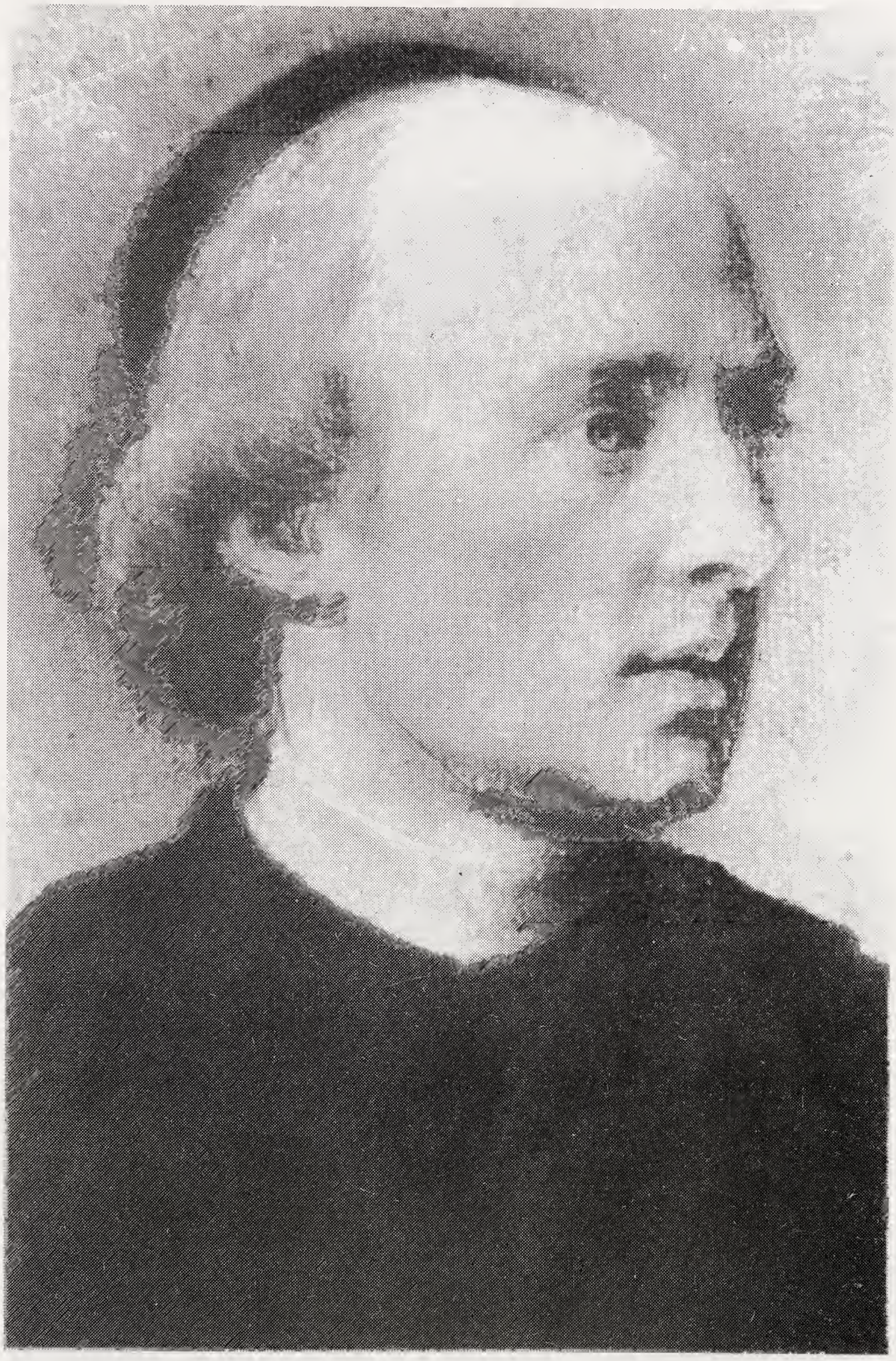
He did not, however, expect to convince them, now that their money and their envoy were on their way to Rome to upset the system. The writer ended his first letter with an exposition of how well the system had worked.

In his second letter he dealt with the word *pares* which was used in the original grant. Normally, he held, this would be translated, in civil law, as 'equals' but in canon law, he maintained, it meant 'burgesses of the Corporation'. With regard to the payment of the clergy he could not accept the validity of that argument. Otherwise the vote would be given to "the car-men of Succeen and the fishermen of Claddagh." If the non-Tribes were the sole supporters of the clergy, this would not entitle them to elect the clergy. "That is a power vested by nature and religion in Ecclesiastical authority and if the church delegated some of its power . . . . no man has the right to complain of this arrangement." If that principle were extended to every parish, whereby pastors would be elected it would lead to great confusion.

The women seldom get mention in the wardenship controversies. 'Galway Free-woman', however, presented her point of view rather well in the *Journal* of 27th January 1825. She was a supporter of 'Tribe' and protested against the defamation of Mr. Lynch Alexander, who for more than half a century had distinguished himself in public and private life and whose integrity and honour were above all censure. She gave as her view that there was no hope of Rome making any change, since

Emblem of Wardenship

Pope Innocent VIII



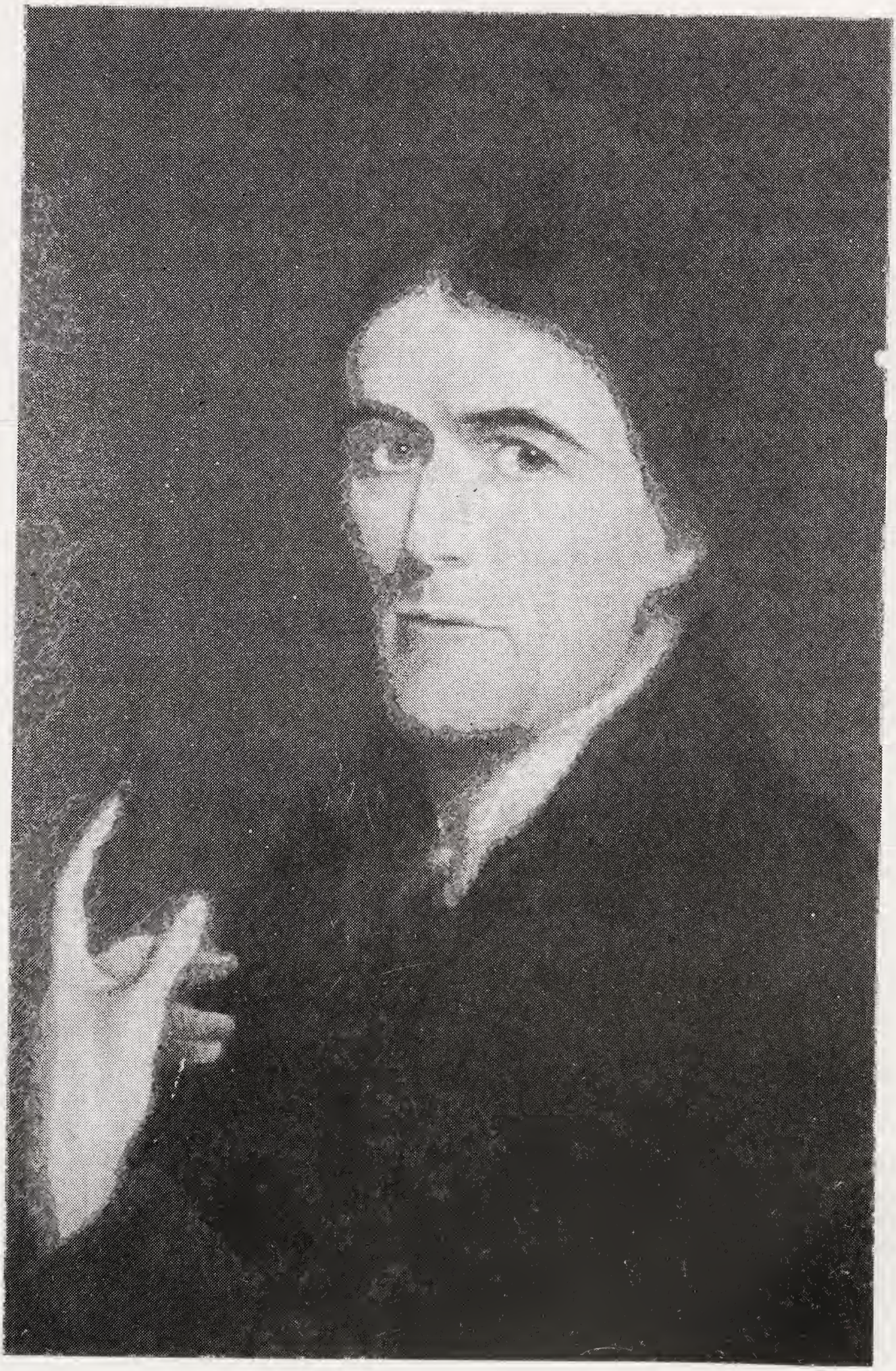
Warden Valentine Bodkin

Nclitis, spectatis ac religiosis Viris Majori Catholico Gregorio Antonio French armigero ; Assessori J. C. Jacobo Patricio Morris; Ballivis Catholicis Joanni Kirwan, & Gualtero Joyce ; Scríbae & a Secretis Johanni Alexandro Lynch; Paribusque Catholicis universis Catholicae Corporationis Galviae, quatuordecim primitivis familiis Anglo-Galviensibus ; caeterisque tam antiquitus, quam recentius in Corporationem Catholicam Galviensem

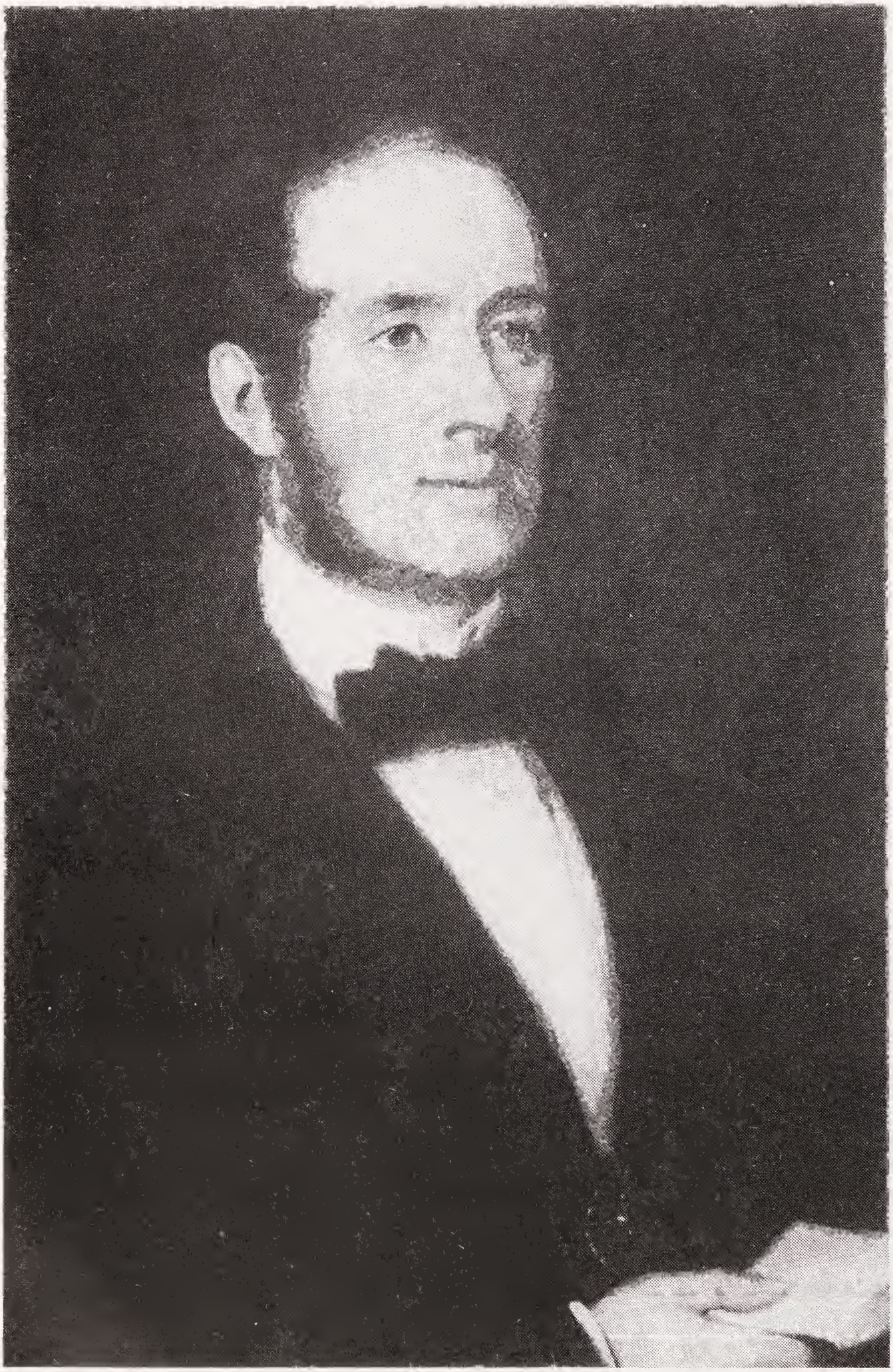
cooptatis

Presbyter Valentinus Bodkin, Vicarius perpetuus S. Nicolai Galviae, gratiam, pacem, felicitatem ac salutem plurimam a Deo Uno & Trino.

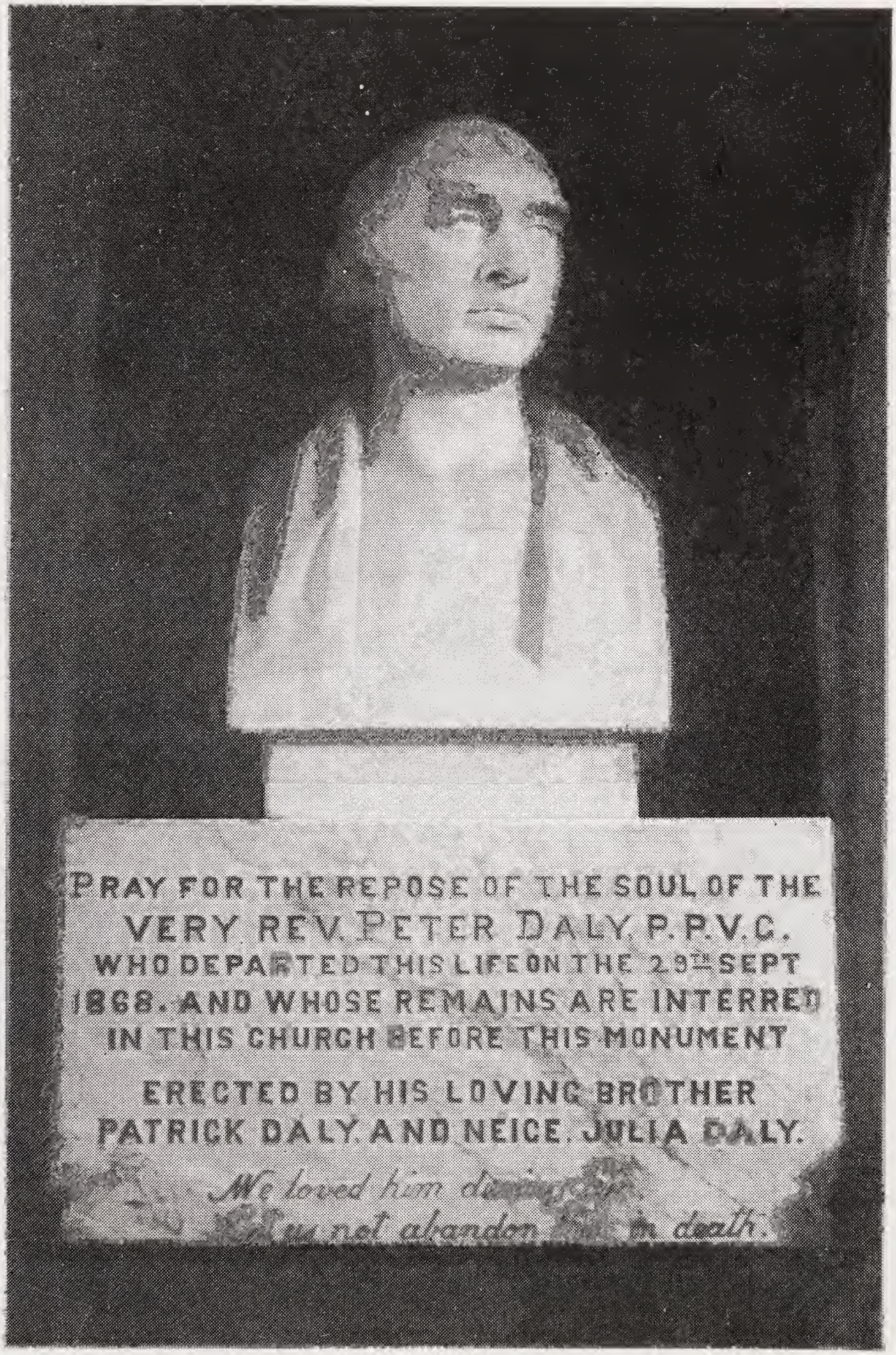
Scitis profecto incliti, spectati, & religiosi viri, Civesque optimi quanta animorum contentione adversarii quidam vestri contenderint, ut vestra vobis Jura, & privilegia antiquissima praeriperent. Eo siquidem invidiae vel impudentiae pervenerunt, ut cum apud vos omni ferme invidiarum genere sus, deque omnia quoque vertere conati sint quorumdam maleseriatorum consilio, ad Eminentissimos Patres Sacrae Congregationi de Propaganda Fide praepositos spe certa victoriae elati atque erecti confugerint: non quidem justitiae vindicandae gratia, religionisque orthodoxae tutandae amore, sed rerum novarum cupiditate, & aliena jura invadendi studio. Cujus rei factae utinam eos puderet, poeniteretque, ut melius sic & sibimetipsis, & patriae & Catholicae religionis studio utilitatique, ut par est,



Vicar Bartholomew Burke



Colonel Blake, First Catholic Mayor of Galway after Emancipation



Father Peter Daly

THE COLLEGE HOUSE,
GALWAY.

George Browne, First Bishop of Galway

Pope Gregory XVI

the original grant had been made for a 'valuable consideration'. The embassy to Rome would never obtain total enfranchisement; the proposal was absurd.

She admitted that there were abuses, but held that the correct course to follow was to strive for enfranchisement in the legal corporation so that Catholics could once more obtain the posts of mayor and sheriffs. When Catholics had all their municipal rights restored, then it would be time enough to enquire into the pretensions of the non-Tribes and to regulate the constitution of the whole corporation by the standard of its ancient forms.

It had been suggested that in ancient times the religious rights were not exclusively enjoyed by the corporation; she unhesitatingly asserted that the Tribes could demonstrate, if they wished, that these privileges were enjoyed exclusively and were actually purchased by the corporation. To the enfranchisement of the non-Tribes, she had no objection, but sending an envoy to Rome, she considered useless – a foolish waste of money.

'A Sinner of the Gentiles' wrote to the *Journal* of 3rd February asking all to join to prevent the union of the wardenship with Kilmacduagh and Kilfenora "which will at a single blow undermine and level with the earth the proud pre-eminence and venerable distinction which the collegiate church of Saint Nicholas, possesses over all the churches of Christendom."

If the union were allowed to take place, he warned, then the wardenship of Galway was finished. They should be on their guard, although he had nothing against Dr. Ffrench, who would be an excellent bishop. Future bishops of Kilmacduagh and Kilfenora, however, would be good men too, and eligible for the wardenship, once the precedent had been established. The name 'warden' would gradually be lost and the two jurisdictions eventually united. Now was the time to act.

Since non-residents were perfectly indifferent about the town, whether it had a warden and vicars of its own electing or whether it became a parish of Kilmacduagh or Tuam or any other diocese, they should be excluded from voting. Their view-point was, he continued, that Galway ought to be like any other parish, under the jurisdiction of a bishop

and should have its clergy appointed in the normal manner. These non-residents came to vote in Galway to oblige some friend or to get a lesser penance in Confession. He concluded, that, of course, they never succeeded in this latter.

The paper had some misgivings for publishing this letter. In the 7th February issue, the editor said he was not in agreement with its contents. The paper was not aware of what the feelings of Dr. Ffrench were, nor did they think he would be influenced by his Tribal name and background. But he was bound by the terms of the papal rescript to uphold the rights of the lay patrons. The next bishop of Kilmacduagh and Kilfenora would have no claim to election. There was no need to fear the ending of the system.

When the appointment of Dr. Ffrench had been announced, the senior vicar had convened the chapter and set about electing a vicar-capitular. In the interests of peace and to avoid scandal, the vicars had elected Dr. Ffrench to that office. They had not seen the papal Rescript permitting his election as warden, which, it was alleged by a vicar, Dr. Ffrench had kept carefully from them.

The *Journal* of 7th February 1825, published the first of three letters from 'Brutus'. He described himself as a liberal patron and stated that while he had no objection to Dr. Ffrench, he feared his appointment might endanger the wardenship. "I would gladly see him removed to his Bishopric and leaving our little Church as he found it, poor perhaps, but *independent,* respectable in its priests and *honest* in its patrons." Dr. Ffrench was not responsible for the change. In fact, it was the result of a petition from one or two traitors among the patrons. He asked the patrons if they would stand for that. Perhaps another similar petition would perpetually join Galway with Kilmacduagh? Would the patrons allow their own to do what the archbishop of Tuam had failed to achieve? The writer demanded that the names of the petitioners be revealed and their treachery exposed.

The second letter of 'Brutus' appeared in the same issue which announced that the consecration of Dr. Ffrench would take place in the collegiate church on 13th March. The letter was addressed to the vicars and remarked that what was stated in the first letter had not been contradicted. Just as the British Parliament had a system of checks and

balances in the Lords and Commons, so had Galway in the vicars and patrons. He asked them had they not sworn to uphold the rights and privileges of the chapter. Was not the intrusion of a strange bishop as opposed to the rights of the college as it was at variance with the spirit of the canons? It was their duty to oppose Dr. Ffrench. They knew that the Roman Rescript was invalid because of the methods used to obtain it. It was being whispered that the archbishop of Tuam was the culprit. Remembering what previous archbishops had done, they could expect the present archbishop to apply for another Rescript to annihilate the wardenship. Now was the time for action by the vicars.

Before the third letter from 'Brutus' was published, a letter from one of the vicars appeared in the *Journal,* of 7th March, which letter was published only after delayed consideration. He praised 'Brutus' who had brought the dangers to their notice and explained the action of the chapter in electing Dr. Ffrench vicar-capitular. They had done so unwillingly, in order to avoid greater evils. The action was not, however, to be seen as approving the Rescript or judging its validity; it had been carefully kept from them. The chapter, he stated, had done all it could to declare the wardenship vacant. It would have been most unwise to take the matter to Rome, knowing "the already declared disposition of the Court of Rome to convert the Wardenship into a Bishopric". Because of his subsequent history and because of his friendship with the editor, this letter may have been written by Fr. Peter Daly himself.

The third letter of 'Brutus' was published on 10th March. It was addressed to P. M. Lynch, J. P. Morris, James Joyce, Mark Lynch and John Lynch Alexander, officers of the lay patrons. He addressed them because he had received notice of a meeting of the electors on the following Monday to judge the validity of the Rescript. What qualifications in canon law had they to enable them to form any judgement? The vicars were qualified judges. Had they been invited? Or was Dr. Ffrench responsible, he who had summoned the vicars and clergy to attend the visitation of Dr. Kelly on the same day? Surely the presence of the archbishop was no coincidence? The electors should realise that the wardenship was vacant and that it was their duty to elect a new warden who would not endanger the wardenship privileges. They should fix another day when the vicars would not be occupied with the visitation and would be able to advise them. There should be no secrecy or concealment and all should be ready to struggle to preserve the rights.

The episcopal ordination of Dr. Ffrench took place on Sunday, 13th March 1825 at the hands of Archbishop Kelly, assisted by Bishops Coen of Clonfert and Burke of Elphin. Also present was Bishop McNicholas of Achonry. The sermon was preached by the Reverend Peter Kenny of Clongowes Wood College. He spoke about the Apostolic Succession and the marks of the true Church. He took as his text, Psalm 89 "Once have I sworn by my Holiness that I will not lie unto David. His seed shall endure forever and his throne as the Sun before me. It shall be established forever as the Moon and as a faithful witness in Heaven". The choir consisted of Messrs Tobin, Caddi and Johnstone with Mr. Sardo on the French horn. Gentlemen amateurs assisted on the occasion. A grand Oratorio was adapted for the ceremony. Mr. Brady, architect, made the chapel comfortable for all. Entrance to the gallery cost 5/= and to the aisle 1/8. The ceremony began at 11 a.m. Next day, the lay patrons met to consider Dr. Ffrench's position as warden. Having examined the papal Rescript, they expressed their complete satisfaction with its contents. Dr. Ffrench was immediately elected warden *viva voce* until the following August when an election was due, Dr. Ffrench having completed three years in office. The *Journal* now began to back-track by congratulating the warden and offering sympathy to 'Brutus'. The paper was sorry he had 'not taken up a subject more worthy of his abilities'. He had failed in every particular and must now, on calm consideration, exclaim with the noble Roman *"Perdidi Diem"*.

Later it must have been considered necessary to hold a formal election. On 4th April 1825, Dr. Ffrench, by vote of the patrons, was confirmed in his office as had been expected. The *Journal* returned to the attack with a mocking description of the dress, acts and solemnity of the Catholic corporation. The Tribes continued to receive unfavourable notice during April 1825. They held a meeting to try to secure admission to the legal corporation on the strength of their Tribal names, but this, seemingly, failed. It was notable that despite much criticism of the Tribes, the press very seldom criticized Dr. Ffrench, "that much abused personage". The warden seems to have remained aloof, busily engaged in the work of his dioceses, while his fate was being decided in Galway.

By late June 1825, Dr. Ffrench had confirmed 3,000 persons. He asked the people of Gort to start collecting for a new church and soon £250 was gathered. He intended to turn the old church into a school. It was hoped that local gentry would give a site for a new church. Lord Gort received

the bishop in Lough Cutra and told him to pick whatever site in Gort he desired. He fixed a rent of one pepper corn a year for the lease forever. He also gave a scripture painting of the Holy Family. The land was worth £16 p.a. Mr. Pain of Limerick was the architect of the new church in Gort. There were complaints in Galway that the new collegiate church had been left unfinished. As a result Bishop Ffrench set about completing the interior decoration. At this time, Dr. Ffrench supported Daniel O'Connell and welcomed him to Galway when his star was clearly on the ascendant.

The only complaint published about Dr. Ffrench concerned the unfinished interior of the collegiate church. The final triumph for Dr. Ffrench came, when he was elected warden again, at the normal triennial election of 1st August 1825; it did not, however, pass without incident, as some of those present at the election "boxed each others ears".

CHAPTER SIX

TOWARDS AN ELECTION 1825-1828

His return to power was a personal triumph for Dr. Ffrench. Clearly, the privileges would have been safer if the warden were not a bishop, with the consequent danger of union with Kilmacduagh and Kilfenora. The Tribes, however, were prepared to take this risk and express their renewed confidence in Dr. Ffrench by electing him. The opposition within the college had been silenced, if only temporarily.

With Bishop Ffrench safely back in office, and no word from Fr. Coughlin in Rome, the privileges seemed secure. The Tribes were not beyond taunting the non-Tribes, in the public press, about the Coughlin mission and the lack of return for the money invested. 'Liber', in a letter to the *Journal* of 4th May 1826, stated that Fr. Molloy O.S.D. was going to Rome. He could take a message from the non-Tribes to Fr. Coughlin. He could enquire from him what occasioned the long delay in executing his commission. Had he seen the pope? Had he presented the *Italian* petition? Had he spent the hundred guineas? Was he returning to Galway? As the learned gentleman must have forgotten his native tongue, the committee should employ someone to write to him in Italian. Many months had now passed since he left for Rome to procure the emancipation of the non-Tribes, continued the correspondent. There was an air of mystery about the affair; the presumption was that the non-Tribes had received no news from Rome. Perhaps his mission had failed and he was now enjoying the sun or the works of art in Rome? The writer ended by expressing his deep anxiety about the health, location, occupations, present hopes and past deeds of Fr. Coughlin.

'Non-Tribe Freeholder', in a letter to the same paper, presumed that the mission to Rome had been a failure since no information was available from the non-Tribe committee. If the Italian petition was well received by the pope, then it would be necessary to send him more money. "But

on this supposition, we will be allowed to say, at least, that the suit progresses slowly and that Captain Perry, *ceteris paribus,* will double the North Pole in less interval of time than Mr. Coughlan (sic) will effect the Emancipation of the non-Tribes". The committee insulted the non-Tribes "who were induced to contribute the funds for promoting so foolish a mission." He felt the exclusion of the non-Tribes was unjust but he was not attacking the Tribes, since it was a normal thing to cherish ancient privileges. He was, however, attacking the non-Tribe committee, which had acted in a dictatorial manner in sending a representative to Rome and had never seen fit to acquaint the public of the outcome of the embassy.

He wrote again to the *Journal* of 29th May, asking if it was true that the original grant had been purchased, and then enquired whether liberty is a commodity of that nature or an article of trade for buying or selling. A *nomen* or *cognomen* should not dictate justice, he said. He promised to develop his thesis at a later stage, but does not appear to have fulfilled his promise.

Although there is little evidence in the public press of disharmony in Galway, the regular-secular dispute was still smouldering, and it is clear that the departure of Fr. Molloy for Rome was in connection with this trouble, which, despite many efforts, was unresolved. Nor were the vicars yet satisfied to accept Dr. Ffrench without protest. They hoped to establish the invalidity of the most recent papal rescript and held many discussions with this in view. Fr. Andrew Martin, junior vicar and P.P. Oughterard, as secretary of the college, protested to the archbishop of Tuam against the continuance of Dr. Ffrench as warden after he had been appointed bishop. Fr. Martin postponed demanding an investigation or a decision as he was expecting the archbishop to pay him a visit in Oughterard.

The archbishop visited him in July 1826. On his way to Oughterard, Dr. Kelly passed through Galway and met some members of the college, who assured him that they did not wish to contest the legality of the warden's position: the validity of the rescript could not be called in question. Fr. Martin was astonished to find that Dr. Kelly had been given this impression in Galway and felt that his fellow vicars had capitulated or given the wrong impression. He wrote urgently to the dean of the college, Fr. F. X. Blake and asked him to set about correcting

this impression. The vicars should state in writing their objections to the legality of the warden's position. Such a document would be necessary to counter the memorandum of the archbishop, written in his own hand, in which he presented his arguments in favour of the papal rescript and of the legality of the warden's tenure of office. Although Fr. Martin appealed for an immediate reply, nothing seems to have come of this intervention by the archbishop.

Fr. Patrick Mooney, vicar, P.P. St. Nicholas West, died on Thursday, 25th January 1827 at 6 p.m. The remains were removed to the parish chapel on Saturday morning. After High Mass on that day, the burial took place in the Dominican cemetery. Aged 75, he died of distemper. He was sadly missed by the poor. His death brought all the old troubles to the surface again.

There were three candidates for the vacant vicarage – the last election for a vicar in the history of the wardenship – Frs. M. Joyce, T. E. Gill and J. Kirwan. There was much canvassing and their supporters had left no stone unturned to secure votes for them. The *Journal* protested once more against Tribal privileges: there was nothing sacred in a name. In fact the whole system was wrong and open to abuse. They appealed to the clergy to end the wardenship by petitioning for a normal system of church government. "It ought not; it gives the layman a power over his priest or Warden which he ought not to possess". If either were corrupt enough to compromise their duty for the rank and emoluments of the sacred office, there would be serious danger of simony. Uncomplimentary references to the Tribal rights were again made in the same newspaper of 19th February.

The election, which was announced on the three previous Sundays in the parish chapel, was held on Monday, 26th February. It was surprisingly quiet and harmless "unlike many others we have witnessed." Present were Mr. P. M. Lynch, mayor, Mr. John Lynch Alexander, town clerk and the sheriffs, John Joyce and Mark Lynch Anthony, who took the poll. There was no recorder as nobody had been chosen to succeed the late recorder. Mr. Burke of Danesfield questioned the exclusive right of the lay patrons but did not succeed in having any change made. In fact, there was "a solemn scrutiny of the pedigree of everyone who tendered his vote". He had to trace his lineage to the first settlers, reported the *Journal,* with some sarcasm. Fr. Joseph Kirwan, who was proposed

by Dr. Henry Blake and seconded by Pierce Blake of Cregg and Richard Martyn, obtained 77 votes and was declared elected. Fr. Joseph W. Kirwan D.D., the last vicar of the wardenship to be elected was a noted preacher at home and in England. On his election, he replaced Fr. A. H. Martin (who changed to Castlegar) as parish priest of Oughterard. Fr. T. E. Gill, proposed by John Bodkin of Kilclooney and seconded by Francis French of Cullane, secured 43 votes. Fr. Matthew Joyce, proposed by Colonel French and seconded by Colonel Blake and Major Quinn obtained 37 votes.

The changes of personnel which these elections brought about, seem to have made very little difference in the disputes with the regulars. In that very year, the Galway Franciscans, Augustinians and Dominicans were in communication with the Propaganda about their grievances. Fr. Peter Daly was a prime antagonist of the regulars; on 10th March 1827, the Congregation wrote to the archbishop of Tuam in connection with a dispute between the Augustinians and Fr. Daly. The archbishop, replying on 15th April, asked the Propaganda to write to Fr. Daly and warn him to be less hostile towards the Augustinians and be more obedient to the warden.

At about this time, Fr. Daly was completing the building of a new church in Moycullen. A man of great energy and ability, the warden had sent him to Moycullen for this purpose in 1826, while permitting him to retain his town parish of St. Nicholas, North. When the first Mass was celebrated in the new church, on Monday, 30th April 1827, a heavy debt still remained to be cleared. Since the people were very poor, and collecting all the money from them would have been very difficult, Fr. Daly decided to quest for money in England and Rome.

The ostensible reason for going to Rome was to collect money for the new church. In view of his subsequent history, it does not seem unfair to impute to Fr. Daly other motives for visiting Rome. Since Dr. Ffrench, who was sick and absent from Galway during Summer 1827, had failed to settle the regular-secular dispute, perhaps Fr. Daly felt he might be able to help towards a settlement. It is not impossible, also, in view of his later clear desire for advancement, that Fr. Daly hoped to create a favourable impression in that city, and profit by the resultant publicity at home. Perhaps he even hoped to settle the Tribe versus non-Tribe dispute, or to have the warden's tenure of office declared invalid.

Fr. Coughlin, now a secular priest, was back in Galway in 1827, his non-Tribe mission a failure. There is no record of his activities in Rome. It does not seem that he succeeded in presenting his case to the Roman authorities. Daly may have been encouraged to go by his friend and admirer, the curate, Fr. Brendan J. Roche, who had spent some time as a student in Rome and who had returned to the wardenship ministry about July 1826. Whatever the reasons for his journey, Fr. Daly left for Rome in July 1827 while the question of the wardenship of Dr. Ffrench was being debated and a campaign was beginning to have him replaced at the next election by Fr. Daly. A Mr. McDermott and some friends held a meeting in August, to consider the situation, and without his concurrence or even knowledge, the name of Fr. Daly was mentioned as a suitable replacement for Dr. Ffrench.

Fr. Daly reached Rome in December, having secured money from some influential persons in London for his church debt. He found the Propaganda trying to solve the regular-secular dispute in Galway. The Cardinal Prefect and the Secretary of the Congregation asked him to submit a memorandum on the whole case. He was reluctant as, he explained, he had not come for that purpose nor was he empowered to act as representative of the college. He agreed only as a result of the explicit request of the Congregation officials, who considered him .to be an erudite man, as some years previously, he had confounded a Bible meeting of the so-called archbishop of Tuam and his adherents. It seems likely that a Daly supporter, Fr. Michael O'Fay, a Kilmacduagh and Kilfenora priest resident in Rome, was a great help to Daly in his mission.

In spite of his initial reluctance, Fr. Daly presented a lengthy report on the whole question of funeral offerings and the disputes between regulars and seculars. In presenting it, he asked that it be confidential so as not to compromise himself with the Government. He seems to have met the pope and some leading cardinals on a number of occasions and on 27th February 1828, he secured 300 *scudi* from the pope and 500 from the Propaganda for his church fund.

In the light of Fr. Daly's report, the Congregation decided on 10th March 1828, to write to the archbishop of Tuam and ask him to impose silence on both Galway parties while the matter was being considered. The final decision of 21st June 1828, was that the faithful were to be

left in complete freedom as to whom they gave their offerings and no pressure was to be brought to bear on the people to draw them to any particular church. This rather neutral ruling was trumpeted in Galway as a victory for the seculars and a personal triumph for Fr. Daly.

In his report, Fr. Daly began with a short history of the Wardenship's poverty due to penal times. Now priests got offerings for a baptism; they got offerings at Christmas and Easter; when he visited the people in their homes to hear confessions; at marriages when they took place in the home and during which a collection was taken from those who were present. With regard to funerals, he explained, customs differed. Sometimes there was a Mass in the house on the day of burial, at which time a near relative or all those present made an offering. In other places a day was fixed for Mass at which offerings were made. Sometimes the body was brought to the church on the day of burial and there was Mass at which a collection was taken.

Fr. Daly related that both priests and people were poor. Only 25% could make any offering. He himself had a thousand families under his care, 6,500 persons, and only 200 families could afford to make any contribution. Daly said that his curate had written to him in November and informed him that his accumulated income since his departure from Galway in July was only thirteen pounds. Fr. Daly then listed the funeral customs of the various parishes.

1. Rahoon and Moycullen: the remains are taken to the parish church where there is Mass and offerings.
2. Spiddal and Oughterard: Mass in the house of the deceased on the day of burial. The relatives give offerings.
3. Oranmore, Carrowbrowne and Claregalway and the four town parishes: Mass in the house of the deceased on the day of burial, but no offerings. He said that the relatives arranged a Remembrance Mass on a subsequent Sunday. Offerings were made according to the grade of the Mass.

It was at this point, he complained, that troubles developed with the regulars, who claimed that these Masses should be in their churches when the burial took place in their cemetery. The parochial clergy insisted on the Mass taking place in their churches because the offerings were a return for general pastoral care and not a payment for burial. Having

stated that there was much scandalous competition, Daly's advice was that the case should be decided in favour of the seculars.

It would appear that a campaign was being mounted in favour of Fr. Daly's candidature in the wardenship election, due in August 1828. The local press reported his activities abroad, reports, in all likelihood, supplied by himself. The *Journal* of 11th February 1828 told of his reception by Pope Leo XII and by Cardinals Cappellari and Caprano. It also told of the assistance, financial and otherwise, granted by the pope, with whom Fr. Daly had several conversations. It added:

> "We do not say too much when we assert that as a scholar, Mr. Daly ranks among the foremost; as a clergyman, among the best, the most learned, the most zealous; as a gentleman among the most accomplished; as an Irishman, among the most patriotic; as a friend, among the most generous and warmhearted."

The *Independent,* said to have been supported by ministers of the established Church, was not quite so flattering. On 31st May, it reported his arrival in London and called him the 'warden' of Galway, possibly with mischievous intent. The *Journal* of 2nd June reported Fr. Daly's presence at a London Reformation Society meeting, where he was not given a hearing – "the Rev. Peter Daly, Vicar of Galway, a name well known to the Evangelicals." The *Independent* of 11th June carried a scandalous story about Daly (in 1829 Fr. Peter was awarded £200 damages in a libel action taken against the Independent). Fr. Daly arrived in Galway on Monday, 23rd June. "We are happy to find our Rev. friend in the full enjoyment of good health and spirits" commented the *Advertiser.*

All this newspaper coverage seems to have been partly caused by the fact that Father Daly's name was being energetically canvassed for election on the first of August. In addition to the press campaign, every corner of the streets was placarded. Two of the curates, Frs. B. J. Roche and T. E. Gill openly supported Daly, while the more careful *Journal* of 28th July, stated that while the columns were open to both parties, they would not take sides.

Some time before the election, Father Roche called a meeting of the vicars, six of whom attended. Father Roche produced confidential letters

received during his student days in Rome, from the warden, who told him he would be happy to see the end of the wardenship. Fr. Roche read the letters to the meeting and then threw them on the table to Fr. Daly, saying, "make use of these letters for the benefit of religion." Fr. Daly then said he would allow his name to go forward for election as warden.

On Sunday, 27th July 1828, a stormy meeting took place in the Male Free Schools to make preparations for the wardenship election. Mr. P. M. Lynch, Catholic mayor presided at the meeting. Fr. Roche immediately addressed the chair and asserted that the present warden was unfitted for his high station and asked to be permitted to prove his assertion by reading some letters he had been honoured with while in Rome. Although they were marked 'private', he felt he should read them for the good of religion and the promotion of all honourable principles. He did so as a minister of religion and *ex officio* a gentleman. When he had read them, Mr. Lynch of High St. rose and very ably, as the meeting seemed to think, defended Dr. Ffrench from the imputations sought to be cast upon his character. He read some letters written to himself by Fr. Roche.

> "and animadverted rather severely . . . upon his Rev. accuser, whose zeal for the good of religion and honourable motives he rather impugned, upon which the Rev. Gentleman finding the tide turned against him, and still naturally anxious for the good of Religion, broke the order of the Meeting, and insisting on speaking, declared in an accent that had more regard to effect than to grace, that those letters were written by him when a very young man, and when his respect for the warden was very high, and his gratitude for the slight favours he conferred in supporting, educating, and ordaining him, very warm; but that now he was an older man, his respect for high characters in high places very much diminished and his gratitude all absorbed by his zeal for religion, which was the only passion that burned in his breast, which compelled him to think that all its interests would be much advanced by putting Mr. Peter Daly, a Gentleman whom he was proud to call his friend, and who he had no doubt would be (Mr. Daly looked, we thought, displeased) a prelate such as he would wish to see, instigated by a love for religion (Mr. D's countenance manifestly lowered) and ready to sacrifice everything, honour, we suppose, included, for its promotion.

Mr. Daly here interrupted the gentleman, for whose friendship he seemed no longer to be very anxious and protesting his regard for religion, and the pure and honourable motives by which he was actuated, began to shew cause why he should be chosen Warden, in the room of Dr. Ffrench, when the impatience that had for some minutes had been manifested by several of the gentry round the chair could no longer be restrained and a general burst took place, twenty gentlemen at least spoke together, and the retort courteous was given and received in accents, certainly not of a soothing sound."

Among the remarks made, was the accusation that Fr. Coughlin, the non-Tribe agent, had been bribed by the Tribes. He was accused of making away with money that had been given him to fight the case. Somebody accused Fr. Daly of misappropriating £60 which he had received from the pope for a convent. Daly replied that he had been given the money as Mass offerings and these he celebrated on the journey home at 3/4 per Mass. It was remarked that this Mass stipend was rather generous. In the ensuing general confusion, many spoke and the editor of the *Connaught Journal,* fainted and had to be carried out.

The charged atmosphere then became more calm. Apologies were tendered, hands were shaken and the meeting adjourned till the following Friday. It was claimed that the opposition to Dr. Ffrench stemmed from his not having taken part in the recent civil elections and for having reproved his vicars for having done so.

During this period of activity, the warden remained calm and treated with particular courtesy the two opposing curates, Gill and Roche. It was suggested that Fr. Roche actually asked Dr. Ffrench to support the candidature of Fr. Daly. This was later denied by Fr. Roche who claimed that it was he who had been approached by Dr. Ffrench with a request for support.

The election of Friday, 1st August, caused unprecedented excitement. Because of the issues involved, trouble was expected. Apart from the recurring Tribe versus non-Tribe dispute, there was the exciting prospect of the warden in office, a bishop, being challenged by one of his vicars. No warden in office, in living memory, had ever been challenged. At

1 p.m. the aisles and galleries of the parish chapel were crowded to suffocation. Many elegantly dressed ladies, filled the gallery. At 2 p.m. the officers of the corporation took their places: Mr. P. M. Lynch, Mayor, Mark Lynch and James Joyce, sheriffs; John Lynch Alexander, town clerk. Lord Ffrench, the first to address the gathering, said:

> "It is my agreeable duty to propose the re-election of my friend, the Right Rev. Dr. Ffrench, to the Wardianate of Galway. It is unnecessary to speak of his eligibility and fitness to fill this important situation. The people of Galway know the Right Rev. Prelate very well and for many years. They have long learned to respect and admire him, because of his many virtues, and the meekness and urbanity of his manners and disposition. I am persuaded that the lay patrons will this day reinstate him, instead of sending him over, degraded, to his Bishopric, as if he were guilty of some crime against religion or society."

Here his Lordship read an extract from a circular letter, upon which he commented in severe and sarcastic terms. He concluded by proposing Dr. Ffrench, which upon being seconded by Mr. M. J. Browne of Moyne, was received amid loud applause and the waving of hats and handkerchiefs. Mr. John J. Bodkin of Quarrymount then spoke:

> "I nominate the Rev. Peter Daly as a fit and proper Candidate for the vacant Wardenship of the Church of Galway, and I feel proud to have been selected as the person on whom devolves the duty of recommending to the ancient families of Galway, a clergyman whose virtues are too well known to require any panegyric, and whose capabilities to fill the sacred office to which his friends would raise him, have been fully acknowledged by his fellow Clergy. Here, Gentlemen, let me be allowed to investigate the character of his very Rev. opponent . . . what are *his* merits, notwithstanding the glaring eulogy passed on him by the Noble Lord; as to his talents and erudition, where, I ask, have they ever been exhibited? Where did Warden Ffrench ever come forward when the liberties of his country were concerned? Did he assist the people in their struggle for the independence of this County, at the late election, when the Association called on them to support the old and tried friend of Catholic Emancipation? Did he aid the Independent electors, in returning the man who, through every stage of the

proceedings, opposed that infamous, that obnoxious Bill, best known by the title of the Algerine Act? What was his conduct on the Clare Election – did he, by his presence or by his exertions, aid the great struggle for Ireland's regeneration, in the return of Daniel O'Connell to Parliament? (Cheers).

No, Gentlemen, he skulked from the cause of his country and religion, and he joined a Priest and a Deacon in forming a delinquent triumvirate. (Cheers)."

Here Mr. Bodkin was interrupted by some Gentlemen standing behind him, when he in a warm and indignant manner exclaimed:

"If any Gentleman wishes to interrupt me, let him have the manliness to come forward and do so openly . . . . Contrast this with the honest, the straight-forward conduct of the Rev. Peter Daly. Who vindicated your Religion in Loughrea, when that was invaded by the biblical Crusaders? Who, subsequent to that meeting, silenced by reason and argument, the mitred enemy of your faith? Who, single and individual, challenged the defamers of his Church in the metropolis of the British Empire? It was my friend, the Rev. Peter Daly . . . (loud cheers) . . . and as a consequence to his devotion to his religion, has been openly and unceasingly reviled by the base Orange Press of the country, while those opposed to him are lauded to the skies in that vehicle of filth and scurrility, the *Galway Independent.* Why is my friend the victim of its turpitude? The answer is plain: because he was the bold and uncompromising defender of his faith. Oh if he was the servile, truckling, compromising politician, how he would be panegyrised by the hireling *Independent.* If he was a delinquent Priest, degraded in the eyes of the world, an outcast from society, he would be certain of having the protecting mantle of Orangeism thrown over him. But he was honest, he was virtuous, he was fearless in the defence of Catholicity; hence the bile and spleen of the base Orange faction.

I shall not, Gentlemen, trespass at any greater length on your patience. I think it unnecessary and therefore unwarrantable. I have only to request of you to elect as head of your Church, the man who will guard its rights and protect its liberties, and whose talents will revive its ancient lustre, which have but faintly glimmered during the administration of his predecessor."

Mr. Nicholas J. Ffrench, of Ffrenchlawn, in rising to second the nomination of his friend Mr. Bodkin said:

> "I assure the meeting, that I have not the most distant idea of inflicting a speech upon you as I shall principally confine myself to the reading of a letter, bearing the signature of Edmund Ffrench, Bishop of two Dioceses, Warden of Galway and Pastor of three Parishes!! It is a document which deeply involves the interests and privileges of the Electors"

Here Mr. Ffrench was interrupted by a lady from the gallery, who "with a spirit of heroic indignation, exclaimed: 'You are a traitor to your name', on which Mr. Ffrench turned to the gallery and said 'Does the lady wish to address the meeting?' (On turning to that side of the Chapel from which the interruption proceeded, we immediately recognised our old friend Mrs. .....)". Mr. Ffrench continued:

> "I claim for myself that freedom of opinion which I am always ready to conceed to others, and though on this occasion, I am opposed to the Very Rev. Warden, I now beg leave to be distinctly understood, that my opposition is not personal, but grounded on principal. I am his namesake – some tell me I have the honour of being his relative, but so strongly am I opposed to any aggrandizement resulting from a plurality of livings in the Church, that, were Dr. Ffrench my brother, he should receive from me the same determined opposition. I am young in years, and perhaps, inexperienced, and I now ask any honest man who hears me, how can I with consistency, deprecate at a public meeting (and I shall attend one next Monday, in Roscommon) the abuses existing in the Church, as by Law Established, and call for a reformation, without being equally the enemy to monopoly in the Church to which I am conscientiously attached? Before I proceed to the reading of this precious document, I beg to contradict a statement made by my Lord Ffrench, (than whom there is not an individual at this meeting, I more respect) that Mr. Roche had solicited the confidence of the Warden. I say he never did solicit his confidence – I say, emphatically, that the Warden was the man who solicited his!! Hear now the letter of this worthy prelate, and judge by its style and diction, whether he be a man of that cultivated mind, and refined taste, which my Lord Ffrench has so eloquently described. Mark how the sentiments conveyed in this letter accord

with the sacred character of a Christian Priest – mark how it abounds with examples of that liberal and benignant spirit which so peculiarly belongs to this *Patron of Pluralities."*

Here Mr. Ffrench read the letter and commented on its contents:

"Here, Gentlemen, is strong and powerful evidence, that the man whom your suffrages have raised to the dignity of Warden of this Diocess (sic), has attended by every intrigue, to wrench from you those privileges that have elevated him. He has sought to unite the Church of yours with his Bishopric of Kilmacduagh and Kilfenora, and after having accomplished his purpose, to sit down on his triple throne, and smile at your imbecile remonstrance. Does it not appear, that before his hopes were settled on Kilmacduagh and Kilfenora, he was endeavouring to transform this Collegiate Church into an Episcopacy? Is it not manifest, that because his Chapter did not aid him in his ambitious projects, that he heaps censure and obloquy on them? He says, 'that the pride of the Tribes, on the one side, who are possessed of an odious privilege, and the *insubordination* of the vicars on the other, (who, it appears, are the best guardians of your privileges) will prevent the union.'

I now call on you, as you value your ancient privileges – as you value the independence of your church, and your own characters, to hurl from the proud eminence to which you have raised him, that man who has been working in an undercurrent to destroy your rights. Elect the man who has always been the fearless advocate of your religion, and the ornament of his profession. The highest situation you could bestow on him, would be but a poor recompence for his many services. Let this election terminate as it will, the friends of Mr. Daly have one great consolation, that the object of their choice is *an honest man."*

Mr. J. Blake of Bermingham then addressed the meeting. He spoke of the privilege which "400 years ago was entrusted to our ancestors, sanctioned by the highest authorities of that Church under whose auspices we exercise them – a privilege which they have exercised in trials, in temptations, in proscription and in death and handed them down to us, stamped with that additional value of the integrity, the honours, the piety and faith of their early possessors, and I trust we will hand them

down to posterity, if nothing the better, at least nothing the worse for our possessing them." The privilege of voting brought very serious responsibilities with it. They had to elect a man of God, not a politician, and who would say that they had failed in this? He then made a strong attack on those who had conducted the bitter campaign against Warden Ffrench. A private correspondence was used to prove that Dr. Ffrench wished to end the Galway privileges. But the speaker could produce authentic letters to show that the proposal to amalgamate the three areas had not, in fact, originated with the warden. In fact, the suggestion had first come from the vicars themselves at the time of the Sughrue visitation.

In 1823 Dr. Ffrench had been given ample opportunity to have a diocese established but he had not availed of it. When he and Archbishop Kelly had applied to Rome for permission to remain in Galway as warden after he had been appointed bishop, they made it quite clear that Tribal rights must be safe-guarded. In 1825 when Fr. Coughlin was in Rome and when there was much agitation, the warden had remained strictly neutral. Dr. Ffrench was an excellent warden, as regards his religious duties. He was a defender of the Tribal rights and should therefore be selected. He ended a very long speech as follows:

> "I ask you now, Gentlemen, have we sufficient reason to be dissatisfied with Dr. Ffrench? Have we reason to open the cataracts of our displeasure and pour the torrents of our resentment on his head? Have we the right to pour those gloomy passions of angry revenge from their dark cells, and in their fiery volume consume the object of their discontent? Shall we, with the breath of dissatisfaction, blow him from the high pre-eminence in which he is, while he shall be considered worthy of a dignity superior to that, and of which it is not in your power to deprive? (Cries of 'No') No; We have no just reason to do so, and we will not. Has he impugned the divinity? Has he abused the precepts of Christianity? Has he been disobedient to the honours of the Church? Has he been led away by those vices, which it is his duty to exterminate? Has he refused to be the protector of innocence, the patron of education, or the advocate for the poor? No, I can myself and so can you, bear testimony to his successful exertions in this sacred dome. More than once have I heard him make a powerful appeal to your charity and clemency, and while, with a masterly hand,

he untied the strings of your purses . . . he poured out the bountiful effusions of the heart, together with their valuable contents. Thus have I endeavoured to prove that religion has not suffered by the possession of those privileges vested in us, that if the Right Rev. Dr. Ffrench endeavoured to erect the collegiate into a Bishopric he was not the first aggressor, and he only endeavoured to keep possession of that high dignity which, if the chapter was dissolved of which there was every liklihood at the time, there was not only a probability but a moral certainty (that it) would fall to the lot of another . . . . (so) that when he had in his power, with a certainty of success, backed with the weighty memorial of the Most Rev. Dr. Kelly, he did not attempt to violate but thrice confirmed our rights. These reasons dispassionately considered, induce me to give my unqualified support to Dr. Ffrench.

Fr. B. J. Roche here rose amid great confusion and cries of 'poll, poll' and 'hear him, hear him' which lasted several minutes. After order was restored and the Chairman decided he should be heard, he spoke in the following terms:

"Gentlemen, I congratulate this meeting that justice has at last prevailed, and that an opportunity has been afforded me of repelling the calumnies which have been heaped on my devoted head during the contest. I do not claim a right to be heard as it is usual on these occasions that none but lay patrons should address the chair; but it is a privilege always given the accused, that he shall be heard in his own vindication. (Cheers).

I have been exposed to much obloquy – and I also have been assailed by the Orange press, whose hostility I invite – that base press which seeks to blacken and hold up to public execration every man who exerts himself to promote the interests of the Catholic religion and to rescue his country from the domination of a vile faction. I rejoice that this press has attacked me – but I regret that there are Catholics found to cooperate with this vehicle of slander.

Now there are three classes of persons who take an interest in this election. To two of these it would be vain for me to address myself. The first comprises those who come here full of prejudices and are determined to continue (thus) . . . . The second class is composed of those around whose head, nature has formed such

a barrier as argument cannot scale nor any ability of man overthrow; but of the third class . . . . there are men of candour and sincerity, who know how to appreciate the arguments of others, and possessing the feelings of high-minded and honourable men, attribute even to their opponents, pure and honourable motives. (Cheers) To this class I will appeal, and I am confident of obtaining at their hands, a verdict of acquittal. You regret, as Catholics anxious that no scandals take place, that there is a necessity of this exhibition; and I as a Minister of God invested with an awful responsibility, and bound by the nature of my office to guard against such evils, heartily regret it, as, if I am wrong, I shall have to answer for it before a different tribunal from that of public opinion, when the searcher of hearts will lay open before an assembled world, not only my objects but the motives by which I have been influenced. (Cheers)

I ask you then, what other object I could have in view in giving up these documents than the good of religion? I have no place, no pension or emolument to obtain. I have nothing to gain but I may lose much. I have already lost friends but I will never consent to retain the friendship of man on the terms of compromising my conscience. How, I ask you, have I broken trust? Is it because I have made the people acquainted with the attempt made to deprive them of their privileges?

Suppose, as I said on the last day of Meeting (and it is a triumphant case) that Mr. Eneas McDonnell, who is Agent to the Catholics of Ireland, or any other Gentleman, read a letter from Mr. O'Connell who is the guardian of Irish liberty, commissioning him, Mr. McDonnell, to give up the Forty Shilling Freeholders, would not Mr. McDonnell as a man of honour and conscience, be bound to make the Freeholders acquainted with the attempt to disfranchise them? (Cheers) But before I gave up these documents, I appeared before six of the eight Vicars assembled at the College House, men of wisdom and of talent, and of experience (though they are called conspirators by some Gentlemen). I held the letters in my hand and asked the Rev. Pastors should I read them in their presence. They assented. Having read them, I threw them on the table to the Rev. Mr. Daly, who said he would permit himself to be put in nomination for the wardenship, and I added, "make use of these for the benefit of religion." I then retired.

Is it fair that I should be so calumniated by the public? – I,

who offer the adorable sacrifice daily at the altar. Is it not enough that I should be attacked by the vile Orange press, that vehicle of filth and abomination, that one is only surprised why its rottenness does not cause it to fall to pieces; supported too by a renegade from Kerry, a very Orangeman, who, like the Roman Emperor, would be glad that all the Catholics in Ireland had but one head, that it might be cut off by one blow. I care not for its attacks. I will oppose the shield of my character to its envenomed darts. I despise it: "Its praise is censure, and its censure praise". But I call on you, Catholics, to abstain from imputing to me any malevolent or bad motives for the line of conduct I thought it my duty to pursue. I had no pique to satisfy – no revenge to indulge in – no object to attain, but the advancement of Religion and the good of our Church. Let those who condemn me stand forward before they pronounce sentence, and assign the reasons on which they form their judgement; let them have the manliness to stand before my face, and not skulk into corners, to traduce and malign me; and if they are not blinded by their prejudices, or besotted by their ignorance, I cannot fail to satisfy their minds of the purity of my motives and the honesty of my intentions."

Fr. Roche sat down amid loud cheers. The vote was taken and there appeared to be a majority for Dr. Ffrench. A committee of scrutiny was appointed at the request of Fr. Daly's supporters, and some of Dr. Ffrench's votes were set aside. Later in the day, Dr. Ffrench was declared elected, "which was announced to the inhabitants by the bells of Saint Nicholas ringing a merry peal." The votes were Ffrench 109; Daly 35.

The result seems to have been an embarrassment to the *Journal* which was considered to favour the candidature of Fr. Daly. On 4th August, when it gave a full report of the election, it made no comment on the result, but reserved the right to do so later. Because of their failure to give the majority-minority ballot figures, they were accused of partiality. This accusation was denied, by informing readers, on 7th August, that despite their best efforts, they had failed to obtain the voting numbers from the scrutineers. The paper insisted that it had acted in an honest and impartial manner.

As might be expected, some of the remarks made by Fr. Roche about the 'Orange press' were not well received. The *Journal* of 7th August,

published a letter from 'R. Busteed, Galway', stating that everything stated about him by the 'Rev. Calumniator' would be answered. Fr. Roche replied from College House on 11th August, that he had not mentioned the correspondent's name. He had, however, mentioned Orangeism and if the cap fitted Mr. Busteed, he did not envy him.

Another effort to remove Dr. Ffrench had failed. The Tribes had once more shown their confidence in him. Despite an apparently well-planned effort to defeat him, by many of his priests and some of his patrons, he had succeeded in winning. The election, the culmination of years of hope that a new warden would be elected, ended in disappointment for some, especially the clergy. Bitterness towards the warden increased and Fr. Daly continued to intrigue against him. The relationship between warden and clergy, as a result of this election, so deteriorated that, eventually, the warden resigned and left the way open for the establishment of a diocese.

CHAPTER SEVEN

THE AFTERMATH 1828-1830

Not a word is recorded of the attitude of Dr. Ffrench towards all this intrigue against him. He seems to have been aware of the weakness of his own position and appreciated that certain desirable changes he wished to make in the wardenship would have to be postponed until after the election, unless he wished to risk losing votes. Despite the strong clerical opposition to his continuance in office, Dr. Ffrench was anxious to remain in Galway. There are indications that he postponed making certain changes until after the election, when, if successful, his hand would be strengthened. One of his subsequent actions was the reassignment of the two intriguing curates, Roche and Gill, which transfer was regarded by many as vindictive and which led to further turmoil in the college. Dr. Ffrench, who seems to have been, generally, a model of patience and forbearance, seems to have acted, for once, with some degree of exasperation and later with firmness when his decision was questioned. His first problem, however, after re-election, was the state of Rahoon parish under his old adversary, Fr. John Lowther.

It will be recalled that his efforts to split this large parish, in the interests of more effective pastoral ministry, had failed some years previously. The situation had not improved as Fr. Lowther advanced in years. Dr. Ffrench took no action, not wishing to risk further opposition, when his own tenure of office was still being challenged. Once re-elected, the warden decided to make another effort to remedy the situation. Writing to Cardinal Cappellari on 13th September 1828, Dr. Ffrench explained how neglected the parish was. There were 9,000 souls, having only one church and that, in a very bad state of repair. There had been another church but it was burned down some years previously. About 1825 Lowther had mentioned having this second church repaired and for that purpose, the warden gave him £50 from his personal income. This and a few other sums he obtained, he spent on the building, but he never

completed the work. There was no excuse; priests in poorer parishes had built churches. Fr. Lowther, continued the warden, was never fit for parish work; he was unable to instruct in Irish or in English. He was now sick and unable to work. Many people died without the Sacraments; the man's ignorance made him the laughing stock of a civil court in which he was giving evidence. Many people were left without Mass; there was Mass only every second Sunday and on other Sundays, he said Mass in his residence where people had to pay to be admitted. Many people were married before receiving first Communion or Confirmation.

The warden explained that he could make no change without help from the Roman authorities. The archbishop of Tuam would support this plea were he at home, but at the time of writing, Dr. Kelly was in Maynooth. He reminded the cardinal that the Congregation had decided about 1815 that the parish would be the warden's mensal parish on the death of Lowther. He asked for permission to retire him, saying that he would give him an annual income of twenty pounds from the parish and appoint him chaplain to the Presentation convent where he would have an additional forty pounds per annum. The cardinal took no immediate action to implement this request.

In dealing with curates, Dr. Ffrench was, of course, in a much more powerful position, as he seems to have had normal episcopal powers of assignment and transfer. After the August election during which the actions of Frs. Gill and Roche caused serious scandal, some of the laity refused to accept the sacraments from them. The warden then transferred Fr. Roche to the parish of Rosmuc, originally part of the parish of Oughterard, and in recent times, it seems, in the care of priests from the archdiocese of Tuam. Fr. Roche regarded this transfer as punitive and appealed to Archbishop Kelly who gave him little satisfaction. He secured a transfer from Rosmuc to Oughterard but after some time asked for and was given an *exeat* by the warden. He secured work in the archdiocese of Dublin.

Afterwards Fr. Gill was appointed to succeed Fr. Roche in Rosmuc but he refused to go and was suspended from his priestly activities. Lack of authority over the parish priests had long been a problem in the wardenship; now even the curates were refusing to obey the warden.

Possibly with obedience and order in mind, the warden had for long

planned to provide a communal residence for his priests. This had now been provided, and a simple rule for the residents was accepted and signed by the vicars on 6th December 1828. Dr. Ffrench himself does not appear to have resided in the College House. In 1831 he had an apartment over the Amicable Society Rooms.

On the very day the vicars signed the College House rules, they also sent a letter of complaint about Dr. Ffrench to Cardinal Cappellari, prefect of the Propaganda. They stated that 18 years previously they had objected to Dr. Ffrench's election and the manner in which the dispensation was obtained: there had been, then, no shortage of secular priests as had been claimed. Despite the fact that Pope Leo XII had ordered bishops to reside in their dioceses, Dr. Ffrench, for no adequate reason, had been given a dispensation from the law, they claimed. There were many other objections to Dr. Ffrench put forward. His limited theological ability, his failure to hear confessions and preach more than once a year, and references to his laziness, his levity and ignorance in the treatment of sacred things, were the main allegations. They claimed that after four years as bishop, he did not yet know the psalm 'Judica' by memory and that he had broken church law in ordaining Hubert Agnew, a Dominican, to subdiaconate and diaconate on the same day. In his fifteen years in the district, he had never gone on visitation. They accused him of knowing nothing about his parishioners; if anything went wrong, he was the last to hear about it. They claimed that he had been constantly fighting with themselves, whom he described as 'rebels', so that now they had no reverence for him or his authority over them.

Through being obsequious towards the patrons, he had been elected warden in the beginning, they said. He had inducted into the wardenship unworthy clerics, rude and ignorant men, and had done so without consulting the chapter. Recently he had severely punished two priests, both now under censure, because they had opposed him in the 1828 wardenship election. The vicars recommended that a vicar-capitular be appointed and that the two priests' faculties be restored.

There was no question of taking their complaints to the archbishop of Tuam, as in December he left for a prolonged visit to Rome, where he was easily available for consultation on the whole wardenship question. Galway affairs would soon be attracting the attention of the Propaganda.

On 20th January 1829, Father T. E. Gill wrote at length to the Cardinal prefect with a complaint against the warden. He recognised that the superior was generally presumed to be right but that did not deprive the subject person of his right to state his case and defend himself. For no reason, he claimed, other than vindictiveness, he had been suspended from his priestly duties by the warden. The local church was in a bad state due to Dr. Ffrench. Because he had opposed him at an election, he was banished to Rosmuc, a long distance away where cold and clouds made living impossible. He was appointed *sub poena suspensionis* but he was unable to obey because the appointment was not made for the sake of religion or for the good of the faithful. Up to this time the area had been cared for by the Tuam priests. His ministry there would be useless, as he was totally ignorant of the Irish tongue. Thus the mechanical administration of the sacraments would endanger his eternal salvation. Were it necessary, he would go to Rosmuc, but if he did, he would be endangering his life.

He was born and educated and worked in a town and was not suited for that horrible place which he could not describe to His Eminence. It lies, he said, between the mountains and is boggy and wind-swept. Not even in Summer could one travel there with dry foot. Fr. B. J. Roche had worked there to rebuild the church but had contracted a dangerous disease and for a while his life was despaired of. It was then that Dr. Ffrench sent Gill there saying that it would be better that he (Gill) die there than himself. He had been suspended and was now asking for justice. He had no ambition other than the good of religion. Fr. John Nolan P.P. Ardrahan, a past student of Rome, told the Cardinal Prefect in a letter that the wardenship should become a diocese and thus avoid many troubles.

The question of the wardenship came before a meeting of the Irish hierarchy in Dublin in February, 1829. A petition was addressed to Rome on 12th February, signed by Dr. Ffrench and four Connacht bishops and counter-signed by fifteen other members of the hierarchy, asking that the wardenship be made a diocese. They gave a lengthy explanation of their reasons for this request.

Racial reasons no longer existed nor was there any distinction now between the Irish and the English liturgies. The system had given rise to much trouble; there were no longer Catholics in the Corporation

to whom the privileges were originally given. From the 17 (sic) families with voting rights, only 61 of the 281 electors resided in Galway town. The non-residents were not really interested in the privileges. The patrons elected vicars without consulting the warden and without getting any testimony of character. Canvassing, intrigue, abuse and upheavals marked the elections; election day was one of a most unworthy spectacle.

Furthermore, the authority of the warden was undermined by the ancient custom by which parishes were allocated by seniority. Thus there was a continual change of pastors. A countrified pastor came to town in his old age and was obliged to employ a curate. In the hope of election, these curates were servile towards the patrons.

The result was that the lay people were scandalised and refused to pay dues to the clergy; the warden was continually being insulted. Because of all this, the bishops concluded with a strong plea for ordinary diocesan government.

By this time, the Propaganda had received the complaints against the warden. On 19th February 1829, the Congregation wrote to Archbishop Kelly, now resident in the Irish College, Rome, asking him for his observations on the various accusations against Dr. Ffrench. He did not reply, however, until 6th April.

The Tribes must have heard that their privileges were in danger, as a result of the February bishops' meeting. On 1st March, they met in the collegiate church to consider the situation. James Joyce and Mark Lynch, sheriffs presided. They recalled that all through the penal days, they had preserved their rights and now they had a duty to pass them on to posterity. A committee of seven was formed to send a protest to Rome concerning the invasion of their ancient rights.

Once again, the non-Tribes, too, decided it was time for further agitation. A meeting was convened by an announcement in the *Journal* of Monday, 2nd March. They were to meet on the following Sunday, 8th March, in company with any of the liberal Tribes of town or country who cared to attend, for the purpose of taking into consideration, the expediency of applying to Rome to abolish the present system of electing a warden and vicars, and to cooperate with the exertions already being made to deprive the Galway Tribes of the powers with which they

were invested. The *Journal,* same issue, commenting, said that as a result of this meeting and other moves, they expected the speedy abolition of the wardenship privileges. There was something about which the people of the town deserved congratulations. While the writer was anxious to see the right of election extended, he would prefer to see diocesan government and not amalgamation with another diocese.

On Thursday, the paper noted the excited state of the town, and how society was agitated by the *rabies canina* which was abroad. The Galway lay patrons were greatly alarmed by the probability of the loss of their privileges at the hands of the Irish hierarchy. The non-Tribes, the *"sylvestres et montani homines"* were not worried by such a danger. Once again, the paper stated that the Bull of Innocent VIII was destined for the Galway corporation and not for the exclusive enjoyment of any particular families bearing particular names. Even at this late stage, he hoped the Tribes would be more generous and that "as men would do to them, they should do in like manner."

The *Advertiser* added its voice to the growing chorus with an address from 'Tribonian' to the non-Tribes. The address began:

> "Friends, Townswomen and non-Tribes!
> Lend me your ears.
> I come to bury the SYSTEM
> Not to praise it."

He did not wish to speak of the unjust exclusion of the non-Tribes but he did wish to make known his ardent desire that Galway remain independent, should a diocese be established. If Galway were united to another diocese, then it would sink in the importance of its more extensive ally. The town would be governed by strangers, uninterested in its local concerns and unacquainted with its domestic feelings.

Continuing, he stated that in a bishopric, the bishop was chosen by the elective voice of the priests. The correspondent asked if the Galway clergy would form a majority, so as to promote a resident of Galway by outvoting the priests of Kilmacduagh and Kilfenora. The new bishop would enjoy the honours and emoluments – emoluments which then were undefined but which approaching political events might change. He warned that when trying to improve the situation, they might only

make it worse. He added that these remarks were not to be construed as an attack on Dr. Ffrench. But "should the warden 'stand God Father' to the union of Galway with Kilmacduagh and Kilfenora, he must inevitably go the way of all flesh and with him must end the race of bishops of Galway extraction." He said that perhaps Warden Ffrench was opposed to the union; if not, they did not want him . . . "not that I love Ceasar less but that I love Rome more."

The increase in the tempo of the wardenship debate was, no doubt, influenced by the Catholic Emancipation struggle then reaching its climax. The reference to a salaried episcopate was significant; such a development would render void the argument, often heard, that the wardenship area alone was too poor to support a bishop. The same held for Kilmacduagh and Kilfenora. The new proposed ecclesiastical arrangements – which in fact never came to fruition – may also have been one of the reasons why the hierarchy asked that the wardenship be ended. In the discussions between the bishops and the government, the wardenship would have unnecessarily complicated the issue.

The non-Tribe meeting took place at Kilroy's Hotel, on Sunday, 8th March, with Mr. P. M. Burke, J.P. of Danesfield in the chair. The meeting began with a condemnation of the Tribes who usurped a power with which they had never been legitimately invested and who, as appeared from a recent circular of that body, were determined to fight to retain their privileges in open defiance of the liberal sentiments which were now pervading mankind. It was decided to send a remonstrance to Rome protesting against the continued usurpation of privileges by the Tribes. Martin Burke, Esq., claimed that documents from Rome terminating the Tribal rights had been ingeniously suppressed. Mr. Adams remarked that all, particularly the Tradesmen, appeared to feel great interest in the decision to be made in Rome.

The lay patrons held a meeting on the same day in the Male Free Schools for the purpose of protesting to Rome against the contemplated encroachment on the privileges by the Irish hierarchy. Several excellent speeches were delivered, there was much discussion, and "anything but good order and harmony prevailed."

The non-Tribes met again on Sunday, 22nd March for the purpose of considering the document to be sent to Rome. "A numerous and

respectable gathering of the unprivileged" met at Kilroy's Hotel, again under the chairmanship of Mr. Burke of Danesfield. Mr. James Morris read the proposed petition to Rome and it was unanimously adopted. It was furthermore agreed that should Galway be given diocesan status, it should not be attached to any other see. The meeting agreed that the 'unprivileged' would not contribute to the support of the parochial clergy of Saint Nicholas after 1st September, if a satisfactory solution to their grievances had not been found by then. Copies of the petition were left in the News Room for signature and it was later sent to Rome through Archbishop Murray of Dublin.

Before the meeting had concluded, Mr. Valentine Blake of Menlo Castle entered the room and requested a hearing, which request was immediately granted. He, as a student of the whole wardenship history, told them that both sides did not understand the question. Emancipation might bring about a change; he advised them to end the dispute or they might lose all. If the dissension continued, higher authority might find it necessary to put an end to the whole system. It was wrong to regard the Tribes as monopolists; they were merely guardians of a valuable right.

On Sunday 29th March, Mr. Blake explained the case, as he saw it, at greater length in Kilroy's Hotel. In a lecture on the history of the wardenship, he stated that he had come to the conclusion that it was in the interest of both the Tribes and of the non-Tribes to retain the present system. There were abuses, he was prepared to admit, but the Tribes should not be saddled with the blame. He stated – and of all the disputants, he was the only person to say so – that the Court of Rome was not competent to grant the request of the non-Tribes. The original grant had been made to the mayor, bailiffs and pares – whom the speaker equated with the Tribes. This, he claimed was a historically verifiable matter of fact. He stated that Hardiman in his *History of Galway* had abstained from such an exposition of the corporate rights of the people of Galway; one might be led to think that local residence was a necessary qualification for the freedom of the corporation.

The big question, he said, was, who were the *pares*? The speaker held that thirteen individuals were originally incorporated with superior privileges for themselves and their issue and with powers to extend the franchise to others.

His thesis was that by *pares* was meant the twelve Tribal members of the corporation other than the mayor. He quoted entries in the corporation books from 1497 and 1557, the latter entry not noted by Hardiman:

> "1557: Ordered that there be but twelve Mayors with the Mayor for the time being, so that the whole does not exceed thirteen, according to ancient Charters."

The franchise had been extended in 1605 and 1607 because of penal laws. At that time the membership of the corporation was not confined to the Tribes alone. There were those born 'free' and those admitted to freedom. Penal conditions made it difficult to continue admitting the latter but he could see no reason, why membership could not be extended now, to some of the non-Tribes. Some could be admitted to freedom, especially now when it seemed that the Catholic corporation would be restored to legality by the Emancipation Act. He ended by stressing his conviction that the freedom of the corporation could and should be extended to the non-Tribes without having any recourse to the Holy See.

The Emancipation Bill combined with the threat of non-payment of dues by the non-Tribes led the Galway clergy to petition Parliament to grant a state provision for the Catholic clergy. The *Journal,* commenting said that it was understandable that the clergy would do so, since the Tribes were such poor supporters of the priests "indeed they don't understand what dues mean" – and now the non-Tribes were refusing to pay. Truly, said the correspondent, it could be said of them that their kingdom was not of this world.

As already noted, Archbishop Kelly did not reply to the Propaganda query of 19th February, until 6th April. The reason may have been that Pope Leo XII died on 10th February and the archbishop may have wished to defer replying until after the election of a new Pope – Pius VIII was chosen on 31st March. The archbishop began his lengthy reply with a short history of the wardenship and its disputes. Since the original grant was made, the situation in Galway had changed radically. The lay patrons were no longer resident. In a population of 60,000 people, 17 (sic) families had electoral rights; 61 town residents had votes, and 220 non-residents, mostly from Connacht. These outsiders showed little

interest in or knowledge of Galway except at elections, at which time scandal was given and the cause of religion harmed. The local people objected to this patronage and the warden found it unsatisfactory, as priests were elected without any reference to him. Disputes, intrigue, and canvassing for votes marked every election. Relatives sought votes for their candidates and on election day, carriages were sent to bring voters to the poll.

At the elections, there was confusion and even fighting in the church, where women also joined in the turmoil. Sometimes the outcome was a duel. When victory was announced, there was indecorous applause for the winning candidate. Future candidates canvassed for themselves and at the time of writing, Fr. Peter Daly was working towards his own election as warden. All this gave rise to a spirit of ambition among the clergy and led to opposition to legitimate authority. Lack of respect for the warden was the result of his having no say in the election.

Another abuse, continued Dr. Kelly, was the allocation of parishes by seniority. After many years in a country parish, vicars changed to a town parish, although years in the country had made them less suited for town life. Curates had to be employed in increasing numbers in the town to do the work of the parish priests. These curates were servile towards the electors, made little of their parish priests and hoped they would soon die. The vicars in their turn held the warden to be but *primus inter pares* and without powers of jurisdiction. They all worked together to undermine his authority.

The warden was elected every third year, on 1st August. When it came to institution on 30th September, there was frequently a dispute among the vicars as to whether they should grant institution to the warden; sometimes they did so only under protest. In the election of vicars there were usually two candidates. The previous August, there had been an innovation, when there were two candidates for the post of warden. Father Peter Daly presented himself for election, and in the absence of Dr. Ffrench, praised himself and denounced the warden, who was, however, almost unanimously elected.

The press had attacked Fr. Daly and his two supporters, the town curates, Frs. Roche and Gill. Because of the scandal caused by these two priests and the people's refusal to accept the sacraments from them,

the warden felt obliged to send them to a country parish. Fr. Roche asked for an *exeat* and for peace sake was granted it. Fr. Gill refused to obey, was suspended from his priestly duties and had appealed to the Holy See. Fr. Daly disappointed at his loss, started disputes among the clergy and laity and had publicly accused the warden of maladministration. He had even denounced the Holy See for permitting Dr. Ffrench to continue as warden. In addition, he had made enemies among the regulars, as a result of his victory in the Mortuaries dispute. The result was that religion was being harmed; the ordinary people were disgusted and wanted a change.

With regard to the detailed accusations against Dr. Ffrench, the archbishop denied them all. Since all the accusations were false, what could one think of his accusers? Dr. Kelly described the warden as amiable, benevolent and charitable; he was prepared to forgive and forget. He had defects, but who has not? For example he was too indulgent and paid too little attention to the defects of his clergy by whom he was persecuted and calumniated. They objected to him because he was a regular, who deprived one of them of the position of warden. On the other hand, he was highly respected by the laity, Protestant and Catholic.

The charge of maladministration could not be upheld. Dr. Ffrench had built a new parish church; he had established the Presentation convent which now had 30 nuns who took care of 500 pupils and 30 orphans. He also had a fine school for boys. His only failure was in the provision of good priests. Certainly, he had tried but see what he got! At his own expense, he had sent one of the litigants to Rome for his education but this person had shown gross ingratitude by abusing his confidence in the last election.

Nor, said Dr. Kelly, could the accusation of ignorance be taken seriously. Dr. Ffrench was one of the best preachers in Galway. The Kilmacduagh and Kilfenora priests were very satisfied with him. It was his misfortune to be a victim of the whole wardenship system. Fathers Gill and Roche had become involved in the dispute, through their own obstinacy and disobedience because they were too proud to work in a country parish. The only solution, advised the archbishop, was episcopal government.

Dr. Kelly urged the Congregation to send a strong letter to the two

priests in question, instructing them to be obedient to the warden as a condition of their reinstatement. Fr. Daly, in particular, should be warned. He was the cause of all the trouble; he should be less violent towards the friars and should account for the money he received to build a church, concluded the archbishop.

Fr. Daly, with the help of Fr. Michael O'Fay in Rome, made represtations on behalf of his two supporters, Roche and Gill. On 15th March 1829 Daly wrote to O'Fay and thanked him for his recent letter and said that he and all the chapter were deeply grateful for his help. They hoped, he added, to be able to reward him "when the persecution of the present warden is over". Perhaps here he was hinting that they might secure a vicarage in Galway for O'Fay. It will be noted that O'Fay was supporting Daly against Ffrench, the warden, even though Ffrench as bishop of Kilmacduagh and Kilfenora was his own bishop.

Daly told O'Fay about Gill, "a young man of the most exemplary character, who could not be accused of any misdemeanour; zealous, active, exact in the fulfillment of his duties, and giving universal satisfaction in his mission, whose loss his parish priest regards as irremediable. His only crime was that he had opposed the re-election of Warden Ffrench." With regard to Roche, he was now working in Dublin, and priests of doubtful character were being assigned to parishes in the wardenship. He described an ex-Carmelite, named Coleman as a man of scandalous life. He was given to drink and while serving in Moycullen had earned the displeasure of the people. They asked the warden to transfer him, but he failed to do so. They had, then, run him out of the parish. Now he was curate to Fr. A. H. Martin in Carrowbrowne and recently, while drunk, he caused a fight at a wedding. The warden favoured him because he had been a supporter of his at the last election. Another priest, about whom Daly complained was Fr. Coughlin, now a Galway curate and the warden's chief consultor, despite the fact that "after an investigation, he had been expelled by the Dominicans". Daly also reported that the Kilmacduagh and Kilfenora priests were very dissatisfied. The priests had written to Fr. Peter O'Loughlin, in France now for health reasons, on leave from his parish of Ennistymon, Co. Clare. They asked him to return home to try to remedy the situation. There was question of complaining him to the Holy See. Fr. Daly said that the warden never did his own work. He ended with a warning: "If the Wardenship remains, let Rome expect the most extraordinary

happenings."

Fr. Gill himself wrote to Fr. O'Fay on 9th April. He thanked him for the interest he had shown in his case. Abuses, he claimed, continued under Dr. Ffrench, with the result that the vicars wanted the warden to be brought before the Propaganda and the accusations against him investigated. In the past 330 years the wardenship had never been so disturbed. He asked Dr. O'Fay to intercede so that he would be allowed to at least say Mass for Easter. He was without the means of sustenance and had been obliged to begin the publication of his sermons and works. (Due to be published on 1st July at 7/6 was "Finavarragh/A Legend of Knock-Magh/With Other Poems by Rev. T. E. Gill.") If Rome should lift his suspension, he asked that word be sent, not through the warden but through Fr. F. X. Blake, as the warden in his vindictiveness might choose not to execute it.

On the same day, six vicars wrote to the Propaganda, once more complaining about Dr. Ffrench. They strongly opposed the suggestion of the hierarchy that the wardenship be united with Kilmacduagh and Kilfenora, or be made an independent diocese. They blamed Dr. Ffrench for these suggestions and said that they were the best judges of the local situation. They stressed in particular their opposition to a union of Kilmacduagh and Kilfenora with Galway. If it meant continuing under the rule of Dr. Ffrench, they opposed independent diocesan status for the wardenship.

Clearly there must have been very great opposition to the warden at this stage and increasing sympathy with the two curates, in particular with Gill. On Holy Thursday, all eight vicars wrote to the Propaganda on his behalf, in a strongly worded petition that the suspension be lifted. They stated that they had known him from youth in Galway where he had received his early education. Later he had been a most diligent student at Maynooth and for nine years since, was a very good priest. He had been unjustly suspended and the ordinary faithful were the greatest sufferers.

Gill's plight was probably of less interest to the Tribes than the question of the possible termination of the Galway privileges. On 13th April, they wrote through their secretary, Mr. John Richard Joyce, to Rome to emphasise how much they wished to pass on their privileges to their children, privileges which they had retained down the centuries despite

grave difficulties. On this occasion they were not sending a representative to Rome and they trusted that justice would be done by the Congregation. They felt it a duty to defend the rights against Warden Ffrench and the Irish hierarchy, and they asked the Cardinal Prefect to assist them in protecting the grant of Innocent VIII. The Tribes stated that the recommendations of Dr. Ffrench and the bishops were made without having any knowledge of the position; the Galway chapter had not been consulted.

The Catholic Emancipation Act was passed on 13th April. There was a celebration dinner in Galway on 28th April at which the suspended Father Gill rather pointedly and in the most flattering terms, proposed the toast of the Protestant warden. His case came before the Congregation and on 9th May Cardinal Cappellari wrote to Dr. Ffrench and asked him to lift the suspensions imposed on Gill and Roche, without prejudice to the eventual decision on the case. Meanwhile the Congregation was considering all the evidence of the case. The Congregation also wrote to the Tribes, acknowledging the receipt of their letter of 13th April, and asking them to trust in the wisdom of the Congregation.

The Kilmacduagh and Kilfenora priests now decided to make representations to Archbishop Kelly in Rome. After a meeting in Gort on 16th May, the clergy, through Dr. Kelly, petitioned the Holy See to unite Galway with Kilmacduagh and Kilfenora. They informed the archbishop that they were availing of his presence in Rome to draw the Holy See's attention to the poverty of Dr. Ffrench, who had only seventeen very poor parishes in his combined dioceses. This provided him with an utterly inadequate income. They did not deem it necessary to inform His Grace of the state of religion in Galway. His frequent triennial visitations there would have made him familiar with the disorders which frequently arose out of the unfortunate system of church government. They, therefore, requested that he suggest to the Roman authorities that "at no former period would it be so practicable to effect a change in the Church of Galway by a union of these Dioceses."

In a tribute to Dr. Ffrench, they showed that what Fr. Daly had said was not true:

> "The veneration in which our Prelate is held by the Clergy and Laity here and the Laity of Galway, his zeal for the promotion

of religion, his profuse liberality in contributing to the erection of Chapels and charitable institutions, not only here, but throughout the Wardenship of Galway, notwithstanding the very limited extent of his income there, together with the mildness and prudence of his government have acquired for him the confidence and affection of all classes of society with the exception of a few interested secular clergymen in the town of Galway. Circumstances which it is not necessary to refer to have prevented us from communicating with you on the subject at an earlier period."

They concluded by asking him to support this plea, with the same zeal as he had when they first recommended that Dr. Ffrench be appointed bishop. It was signed by: Danl. O'Brien, V.G. (Kilfenora), James Duffy, V.G. (Craughwell), Thos. Healy, P.P. (Lisdoonvarna), Michl. O'Shaughnessy, P.P. (Beagh), Michael Nagle, P.P. (New Quay), Patrick Mullins, P.P. (Kilchreest), John Sheehan, Adm. (Ennistymon), John Nolan, P.P. (Ardrahan), John Varily, Adm. (Liscannor?), Michl. Duffy, P.P. (Kilmacduagh), Patrick Ryder, Adm. (Ballyvaughan), T. Geoghegan, P.P. (Kiltartan), Andrew Quin, C.C. (Kilfenora), J. Ford, P.P. (Kilbeacanty), Patrick O'Flanagan (?), Patrick B. Quin, Adm. (Kinvara), Denis O'Callaghan, P.P. (Carron), J. M. Acton, P.P. (Ballinderreen), William Delany, P.P. (Clarinbridge).

On 8th June, Dr. Ffrench replied to the request that he reinstate Gill and Roche. He stated at once, that he considered the Congregation's advice that the two priests be restored to their missions, was wrong. Gill was of little use for parishes in the wardenship, due to his ignorance of the Irish language. However, in deference to the Roman authorities, the warden said he had lifted Gill's suspension and appointed him a curate in Claregalway where the parish priest was old and knew Irish very well. It would be a great opportunity for Gill to learn Irish, without which pastoral work in the wardenship was impossible. Gill had neglected learning it during his eight or nine years on the mission in Galway. With regard to Fr. Roche, the warden said that he had remained only three or four days in Rosmuc and then he claimed to have got a breakdown in health, which the warden very much doubted. He had then sent Roche to Oughterard, one of the best parishes in the wardenship but soon he had asked for a permanent *exeat.* The warden firmly told the Congregation that he did not wish to restore him because of his public disobedience and because of the scandal he had caused, which

resulted in the lay patrons refusing the sacraments from him. In addition, the family of Roche had got into heavy debt and this disrepute made the presence of Fr. Roche in the wardenship undesirable.

The warden continued by informing the Congregation that Gill had received a letter from Dr. O'Fay who was working on his behalf in Rome. Dr. Ffrench felt that O'Fay should return to Kilmacduagh, the diocese for which he had been ordained – he had gone to Rome to study and his return was long overdue. He should mind his own business and not be supporting disobedient priests in the wardenship. So he did not wish to restore Roche before first consulting once more the Congregation. In addition, there was no vacancy, and in order to find a place for Roche, it would be necessary to displace an obedient priest.

The warden ended by stating that he had received no reply as yet to his petition about the parish of Rahoon; he had sent the petition through the archbishop of Tuam. He would gladly resign the wardenship, if Kilmacduagh and Kilfenora could support him.

Gill was not satisfied with his new appointment and in a letter of 27th June to Dr. O'Fay complained that as administrator for the aged Malachy Mannin, he was in receipt of only £30 per annum. He wanted Dr. O'Fay to secure from the Congregation a direction to the warden that he (Gill) be restored to the town parish from which he had been originally removed, and where he had worked satisfactorily for nine years. Because of his lack of Irish, Gill considered Claregalway to be as bad as Rosmuc. The situation was paradoxical: priests in Galway preached in Irish where nobody understood them, while he preached in English in Claregalway, where there was a similar lack of communication. A Fr. Fahy from the archdiocese of Tuam had been sent to Galway in his place by the archbishop, who should not, therefore, be consulted on the case. When Fr. Hughes, P.P., Moycullen died on 19th August 1824 Fr. Gill's name was being mentioned for the vacant parish but the warden said he would not send him because he lacked Irish and was unsuitable for a country parish. Laurence O'Donnell, his parish priest was very anxious to have him back.

On the same day, 27th June 1829, all eight vicars once more petitioned Rome on behalf of Gill. He had been sent to a rural parish for which he was unsuited. They asked Cardinal Cappellari to have him returned to his original Galway town parish so that the scandal caused by 'his

persecution' would soon be ended.

Before the archbishop of Tuam left Rome, the Tribal letter of J. R. Joyce, of 13th April, arrived and was passed on to Dr. Kelly for his observations. In a reply of 27th June, he noted once more that the original grant was for the corporation and not for the Tribes. There were 60 electors and 20,000 opposed to them. The non-Tribes, in their dissatisfaction, had threatened not to pay dues after 1st September unless the case was settled. Dr. Kelly insisted that the Tribal possession had not been pacific. Between 1549 and 1733 the archbishops of Tuam had opposed the rights; they considered the claim, if not invalid, at least dubious. Even if there was a settlement in 1733, it had not been defined who the lay patrons were. The archbishop of Tuam had agreed to that settlement, in the hope of peace but the lay patrons had abused their privileges.

Of those who signed the petition, the archbishop stated, a majority did not live in the wardenship; some lived forty miles away; some were only youths of seventeen years of age. His conclusion was that the Tribal corporation rights were at least dubious because the original corporation no longer existed. The wardenship should naturally return to the area from which it had originally come, the diocese of Annaghdown, now united with Tuam. However, he was not recommending this course of action. Rather, he proposed:

1. That Galway be made a diocese, or better, be added to the adjoining dioceses which were too small.
2. Should the present system be maintained, he suggested:
   a. that the person chosen as warden at the next election should hold office for life.
   b. that he should have full episcopal authority.
   c. that the warden should have the right to appoint new parish priests on the deaths of the old.
3. Should the Congregation so desire, an Apostolic Visitor might be sent before making any change.

Next day, Dr. Kelly sent an addendum to Cardinal Cappellari, stating that there were some points he had forgotten to mention. He said that no heed should be paid to the Tribal suggestion that the Irish bishops were not aware of the real position in Galway. Too well, they were aware of it,

said the archbishop, as the newspapers carried all the disedifying detail. The reason the bishops had not consulted the vicars was that the latter had taken an oath to defend the Tribal rights.

The Galway question was discussed at a general meeting of the Congregation on 13th July 1829. Three questions had to be decided:

a. Should the wardenship be abolished?
b. If not, how could the situation be improved?
c. What instructions should be sent to Dr. Ffrench about Fr. Roche?

A decision on the ultimate fate of the wardenship was postponed until an investigation by an Apostolic Visitor could be carried out. For that purpose, it was decided to send Bishop Thomas Kelly of Waterford to Galway as a conciliator to try to persuade the various interests to accept independent diocesan status or else union with a neighbouring diocese. They agreed that no conclusion could be reached concerning the accusations brought against Dr. Ffrench. In the matter of Fr. Roche, the warden was to be instructed to follow his own judgement. These decisions were ratified by the pope on 19th July, in an audience with Msgr. Castracane, secretary of the Congregation. It was felt, however, that in order to avoid the risk of a papal representative not being accepted in Galway, enquiries should be discreetly made to find out what the Galway reaction would be.

On 20th July, Dr. Kelly wrote from Rome to Dr. Ffrench telling him that the appointment of the bishop of Waterford had been abandoned, perhaps for reasons of health, as he died on 8th October 1829. Should a visitor be sent, it would now probably be Dr. Thomas Kelly, bishop of Dromore and coadjutor to the archbishop of Armagh. The archbishop of Tuam, however, was of the opinion that the proposed arrangement would most likely be abandoned altogether. "They are really staggered to know how to act. It puzzles them what plan to adopt, which would be least likely to give offence to all parties. Would to God that you could prevail on a certain portion of the Lay Patrons to put forward a memorial praying that the Warden may be for life and the parishes not given by rotation but on merit. If a respectable portion of the Lay Patrons were to make such an application, it would be directly attended to." The only progress the archbishop claimed to have made was that he had cleared the name of Dr. Ffrench.

Soon afterwards the archbishop left for home, on July 27th, as news of more trouble arrived from Galway. On 31st July, Fr. Patrick Hughes O.P., Prior, sent a long letter complaining about the secular clergy. Once more, on 19th September, Cardinal Cappellari wrote to the archbishop of Tuam to request him to go on another peace mission to Galway.

What advice Archbishop Kelly gave the Congregation before leaving Rome is not precisely known. He was, however, credited with giving counsel as led to a final solution. It was reported that when in Rome he had advised that somebody from outside the province be sent to Galway to carry out an investigation and that Galway be made a diocese, if it could support a bishop. If not, it should be attached to Clonfert or Kilmacduagh and Kilfenora "and from the rank, respectability and importance of the Town of Galway, it should not be attached to any other but that it should be the principal with the other diocese whichever the Holy See may deem it prudent to prefer; it should be an adjunct of Galway, the town being the seat of a Bishop with the title of Galway diocese attached." Some people had accused the archbishop of trying to have the wardenship attached to Tuam but it was said in reply that he had stated in Rome that he had sufficient to look after in what he had, and he felt his successors would be of the same mind.

In late July, a memorandum reached Rome from a non-Tribe meeting of 30th June. Once again they stressed their objection to the non-resident voters: many of them were tenants of Protestant landlords and could be influenced at election time. While the 200,000 people in the wardenship wanted reform, they also wished to preserve the wardenship. The non-Tribes had agreed to postpone till 20th December the proposed withholding of dues. In view of this new document, it was felt necessary to discuss the decision made about the Galway case at the July meeting. A meeting of 17th August saw no reason to change the previous decision, which was that interested parties in Galway be contacted before taking the risk of sending an Apostolic Visitor.

An event in Galway at this time, might indicate that it was expected that Dr. Ffrench would not be much longer there. The former Dominican and non-Tribe envoy to Rome, Fr. F. J. Coughlin, now a curate in Galway obtained on 4th August 1829 an *exeat* from the warden and vicars. On 30th August, Dr. Ffrench, in his other capacity of bishop, collated to him the parish of Ballyvaughan, diocese of Kilfenora. Coughlin may have

wished to ensure that he would have Dr. Ffrench as his sympathetic superior in case of a change. He did not take up residence in his parish but remained a curate in Saint Nicholas, East.

Dr. Christopher Boylan, rector of the Irish College, Rome in a letter to Archbishop Murray of Dublin told him that Archbishop Kelly would arrive in Dublin about the same time as this letter. He asked Murray to tell Kelly that the people of Galway were still in correspondence about their rights "and the pretensions of the non-Tribes". Boylan saw a letter which, he thought, came since Kelly's departure and which was so strong, even violent in tone that it frightened the cardinal. As a result His Eminence said he was glad it had been decided not to send an Apostolic Visitor. He feared the dignity of the Holy See would have been compromised by the inhabitants of Galway if they refused to admit him or recognise his authority. As these documents made no reference to Archbishop Kelly, Boylan did not interfere as he had no commission from either party.

Although the non-Tribes had no representative in Rome to press their claims, as when Fr. Coughlin was sent, they did not miss the opportunity of making their views known to the Roman authorities when one of their number happened to be in Rome. A prominent young non-Tribesman, Mr. R. Adams, who was touring Europe for reasons of health, made representations on behalf of his party, when passing through Rome. Neither his representations nor the urgency of the case, hurried the Propaganda authorities, who did not write to the Galway parties until 10th October. Letters were sent to Dr. Ffrench, to John Richard Joyce, Tribal secretary and to John Kelly, non-Tribal secretary, informing them that the Congregation, after mature consideration of all aspects of the case, had decided to send a wise conciliator to Galway. Each party was informed that similar letters were being sent to the other two. Apparently, the Congregation did not ask directly if the Visitor would be received in Galway, but at the same time expected some indication. Dr. Ffrench and the non-Tribes did not consider a reply necessary and this held up the case for many months more.

On receipt of their letter, the non-Tribes met at Kilroy's Hotel, on 8th November 1829, to discuss the question. They expressed their pleasure at the prospect of a Visitor and placed their fullest confidence in the wisdom of the Congregation. They called for unity in Galway

and appealed to the Tribes to surrender their rights in the interests of unity. They said they would await the outcome with patience and dignity. The *Journal* of 9th November, commenting, said that it expected that justice would be done by the Visitor to be sent from Rome.

The question of replying to Rome does not appear to have arisen, nor is their any evidence of their threat to withhold dues being fulfilled. Probably, they felt it was no longer necessary, now that their case would be the subject of an investigation.

Once again, after a lull, controversy began in the public press. All the old arguments were restated in the *Journal* in three letters from 'Aristeides'.

He addressed himself to the non-Tribes, and although himself a Tribe was sympathetic to the non-Tribal claims. The points of dispute, as he saw them, were:

1. Did the Families have exclusive rights?
2. Did they usurp the rights at a later period?
3. Was there a misunderstanding with regard to the original grant?

If the first point was true then the non-Tribes should seek to have the franchise extended. The second point was a historical matter; investigation might throw light on the subject. With regard to the third point, the matter should be judged before an ecclesiastical tribunal and justice brought about.

In his second letter, 'Aristeides' dealt with the changed circumstances in Galway now, as compared with 1484 when the grant was first made. Then the Tribes were the town leaders. Now they were mostly retired to the surrounding countryside and other town leaders had emerged. So the time was obviously ripe for a change in the wardenship system.

In his third letter, he dealt with the meaning of the word *pares* and declared that the word was equivocal and ill-chosen; it was, perhaps, not correctly understood even to that day. It certainly did not mean all citizens and universal suffrage. He felt sure it did not mean just the Tribal families.

He suggested that the present Catholic corporation, with all its faults and failings should be recognised as the legitimate successor of the first chartered body of 1484. To deny its legitimacy, would, he believed, be accusing the church of Galway of being in schism. He then proposed that the franchise be extended to house-holders of a certain valuation without any reference to name or descent. Those of the Tribes presently enjoying Catholic municipal rights should continue to do so, for the duration of their lives. Only those with three years' residence, be they Tribe or non-Tribe, should be allowed to vote.

'Senex' had a letter published in the *Journal* of 16th November. He wondered if the Tribes would be willing to extend their privileges to those who had so generously contributed to the embellishment of the town in recent times. Galway, he stated, was once a distinguished town – her piety entitled her to be called 'the Rome of Connaught'. She was achieving again her ancient celebrity but this would not happen unless there were generous cooperation between Tribe and non-Tribe. Catholics who had just obtained Emancipation should be the last to withhold privileges from their fellow-Catholics.

The contributions of 'Aristeides' were answered by a letter from 'A County Gentleman to the Tribes' in the *Journal* of 19th November, 1829. The writer insisted that the Tribes certainly obtained the privileges in the original grant and it would be a slur on the present Tribes if any change were made. Of course, if the Holy See made any alteration, the Tribes would submit. He felt that before making any change, the Holy See should consult local Galway opinion. If and when the Holy See would do so, he would suggest a respectful remonstrance. There may have been abuses, he felt, but certainly not sufficient to require the extinction of the privileges. The Tribes, generally speaking, had chosen vicars distinguished for their learning, piety and zeal, He was not a monopolist and believed that the extension of the franchise would be good . . . "but this should be your own spontaneous act – allow no man to dictate to you such a course." He warned against losing their privileges:

> "The Lay Patronage of the Catholic Church of Galway is your exclusive property – your inheritance handed down through a long life of ancestry and enhanced by having passed through the ordeal of persecution and in being preserved from the wreck into

which your other possessions and privileges have plunged; let no audacious or sacriligious hand enter into your sanctuary to plunder it with impunity of the ornaments of ages under pretence of erecting another system in its stead. It is the boasted monument of your father's piety which has stood firm during the reigns of terror and storms of persecution – rally round the sacred flame – be united – and stand sentinels over your sacred possessions – at the same time be willing to reform any abuses your Spiritual Directors may point out; what you have done in favour of a few families on former occasions, you can now do by admitting others to a participation of equal privileges; this will strip it of any invidious character and you will have an accession of men of independent minds and enlightened understanding, who will be equally interested in preserving the honours of the Church. You shall have more hereafter on the subject; in the meantime, believe me your faithful friend –

A County Gentleman".

'Aristeides' clearly annoyed, replied to 'County Gentleman' in the 23rd November, *Journal.* He sarcastically disagreed with the interpretation of the word *pares* and pointed out how ignorant 'County Gentleman' was.

In this letter of 'Aristeides', there was much word quibbling, abuse and denials but little constructive contribution to the debate. On 26th November, 'County Gentleman' wrote in his accustomed moderate strain, saying that his suggestions had been rejected by some, because what 'Aristeides' proposed would only lead to further jealousy. His opponents claimed that the next generation would make further inroads into the system. This viewpoint he would not accept; he repeated his suggestion that 20 or 30 families be admitted at once into the Tribal Corporation. He warned: "Tribes of Galway, the day of your degradation (if you do not avert it) is at hand".

Again on 21st December, 'County Gentleman' had a final letter in the *Journal.* He was pleased that the effect of his letter had been to make the Tribes more aware of the danger of losing their privileges, if some effort at reform were not made. They had a serious obligation to pass on to their children their inherited privileges. Some people had said that because of abuses, it would be better to leave the whole matter to the clergy. He did not think that such a radical reform was necessary in order to remove

the abuses. The election should be regarded as a serious spiritual obligation to be preceeded by prayer, confession and communion. "There can be nothing more practicable than to require from each voter a certificate from his spiritual adviser of his having complied with this duty." He would prefer to see the privileges abolished than continue unreformed. He urged the Tribes to maintain their privileges but to be liberal in extending them to the non-Tribes. That concluded the newspaper controversy for 1829.

Once more the regular-secular dispute gave rise to complaints to Rome. On 29th November, nine members of Galway religious orders sent a list of complaints to the Propaganda. The complaint was signed by Frs. Lyons, Feely, Burke and Jennings, Franciscans and Frs. Hughes, Ffrench, Hibbits, Molloy and Urquhart, Dominicans. They said the Roman decree of 21st June 1828 was being ignored. Despite a request from the archbishop, the seculars refused to publish the decree in their churches as the regulars did and the warden had tolerated this. A meeting of all the priests in Galway on September 19th failed to bring about peace. Peter Daly described the decree as "unjust in principle". Fr. L. O'Donnell joined Daly in saying they would never allow a regular to hear confessions or say Mass within their parishes. And yet the archbishop did not reprove them. Twice friars had been brought before warden and chapter on this matter and they were told that regulars could not act outside their churches and monasteries. The warden, they complained, gave them their confession faculties year by year. One regular was deprived of his faculties after ten years of good work. The latest now, was that the warden gave faculties only for a six month period. The regulars were not allowed hear confessions outside their own churches. The warden wanted to reduce the number of priests in Galway and the orders were annoyed when Ffrench suggested to some regulars that they should join the ranks of the secular clergy. On 8th December 1829, Archbishop Kelly reported to Cardinal Cappellari that a regular-secular meeting had taken place in Galway on September 8th to see if the Roman decree had been obeyed. He reported that it had been ignored in letter and in spirit by both sides. He read the document publicly to both factions and asked them were they prepared to stand by it. They promised they would in future.

In December 1829 the Congregation in Rome received a private letter from one of the Tribes, John Blake of Bermingham. The letter, dated 18th October, strongly urged that the Tribes be left their ancient privileges

of voting for the warden and vicars; the warden, might, however, be elected for life in the future. They did not wish to have violated a privilege which was handed on intact by their ancestors for 400 years, in spite of religious persecution. The Congregation replied to Mr. Blake, on 9th January 1830, that his suggestion would get every consideration. In the meantime, would he get in touch with the three recipients of the Congregation's letters of 10th October and ask them to reply since none had done so yet? Only when a reply had been received, could Rome proceed with the investigation.

A development of interest at this time was the choice of Lieut.-Col. John Blake of Furbo in August 1830, as the first Catholic Mayor of the Official Corporation of Galway in modern times. Contrary to expectations his election does not seem to have caused further confusion.

At this time there was a certain Fr. L'Estrange O.P. in Rome who was creating a very bad impression. He was well informed about Galway and was representing Dr. Ffrench. Dr. Boylan of the Irish College, writing to Archbishop Murray on 11th May 1830, asked why was it that the silliest of the Irish clergy, regular and secular, found their way to Rome. L'Estrange was boring everybody with his account of the politics of the Irish Church, past and present. "He is the most extravagant and empty man I ever met. He certainly has not a grain of common sense" said Boylan who thought he should be locked up for a few days in the Holy Office, because of his theories of toleration. "Yet the good Doctor Ffrench has given this man all his secrets and referred me to him for information regarding the unfortunate divisions and distractions of Galway", he concluded.

Not until 12th March 1830 did the non-Tribes reply. John Kelly, secretary, explained that they had not considered a reply necessary until they had been otherwise informed by John Blake. The non-Tribes, said Kelly, would accept the arrangements of the Holy See with the same obedience as they had shown in time of persecution. They asked the Congregation not to pay any heed to what John Blake had said. Now that new parliamentary laws on local government were being made, Galway needed a bishop and a diocese sufficient to support him. As capital of the western province, Galway deserved to be an episcopal see.

Dr. Ffrench too, replied but only after he had been informed by John Blake of the need to do so. Writing to Cardinal Cappellari on 18th March, he said that he was under the impression that the Visitor would be coming soon and so had not taken the trouble to reply. He expressed his pleasure that the Holy See was sending a wise conciliator. Now was the time for radical reform as new parliamentary laws would complicate further the wardenship problems through the extension of the franchise. Further information on the Galway question, he added, could be obtained from Fr. L'Estrange, Provincial of the Carmelites, then in Rome. As far as is known, the Tribes made no move to reply to the Congregation.

Fr. B. J. Roche, still in exile in Dublin, decided to make an effort to get back to the wardenship. On 22nd March, 1830, he wrote to Cardinal Cappellari with a statement of his case. He had been sent to Rosmuc, although, he claimed, it was in the diocese of Tuam and had previously been in the care of Tuam priests. Because of the bogs and humidity, he became unwell and was obliged to return to Galway. When the warden threatened him with suspension, he asked for an *exeat*, which Dr. Ffrench granted him without consulting his chapter. Sixteen months had now gone by and he was without sustenance. Despite a request from the vicars, Dr. Ffrench had refused to allow him back. He now asked the Cardinal to obtain his return and he enclosed a medical certificate from Dr. J. Veitch, M.D., attesting to the weakness of his chest and lungs. Although he was now cured and in a good state of health, yet his tender and rather delicate constitution required him to keep away from dampness and obtain good lodgings.

It would seem that in a letter of 22nd May from the Propaganda, Dr. Ffrench was asked to reinstate Roche. Replying on 28th June, he assured Cardinal Cappellari that he bore no ill-will towards Roche but nonetheless he was not prepared to allow him back to the wardenship. The reason, said the warden, why he wished to return, was that he was anxious to canvass for Peter Daly at the next wardenship election due on 1st August 1831. Many other factors rendered Roche's return undesirable. His brother had recently been convicted of forgery; the laity did not want him nor did he wish to inflict Roche on them again. Roche was not to be pitied; he had a ministry in Dublin, where his income was larger than it would be in Galway. Dr. Ffrench said his own health had deteriorated as a result of the Galway troubles. He wished he were transferred to some other see, where he would have enough to support himself.

The firmness of Dr. Ffrench, when he had the law to support him, is evident in his dealings with Gill and Roche. Roche remained outside the diocese until after the departure of Dr. Ffrench, and Gill remained in Claregalway, despite his desire to return to the town. No doubt Dr. Ffrench would like to have dealt with equal firmness in the case of Daly and Lowther, but here the customs of the wardenship weakened his position and made effective ruling impossible.

Probably in preparation for the Visitor, a history of the wardenship and its disputes was begun about this time, apparently by the junior vicar, Fr. Joseph Kirwan. His purpose in writing was to end the long controversy between Tribe and non-Tribes and promote the interests of religion and morality in the wardenship. He dealt at length with church discipline at various times with regard to election to offices and dignities. The methods of appointing the pope and bishops were then explained and lay patronage was defined. Finally he described the origin, progress and present state of lay patronage in Galway.

In spite of the fact that he appealed to both sides to lay aside prejudice, he himself, while appreciating the need for reform, was prejudiced in favour of the Tribes. He rejected the notion that they were illiberal and asserted that they had no power to extend their privileges. When they did extend the franchise, Kirwan claimed that they were the legal corporation; now they no longer were. The modern Tribes were a fine people, noted for their hospitality, their civility and their amicable relationship with their fellow citizens of every class and creed. What was especially praiseworthy was the manner in which they had refused to barter their religion for wordly gain. Only a very few had conformed to the established Church.

Because of the great generosity of the Tribes in establishing and endowing Saint Nicholas's Church, they had been granted the privileges. With regard to the term *pares,* a word recently much discussed, Kirwan had no hesitation in asserting that it meant "the Burgesses, the Aldermen – in one word, the Council of the Corporation"; the ordinary freemen had no right to vote. In proof of this, he quoted from an old undated Galway catechism:

Q. Is there a Bull for the Privileges of Galway?
A. There is.

Q. By this Bull who is to present the Warden?
A. The Mayor, the Sheriffs and the Aldermen.

Due to penal laws, the normal methods of election changed and the Tribes carried on the functions of the old Catholic legal corporation. This arrangement was questioned by the archbishop of Tuam but the Tribal rights got ample recognition in the Bull of Pope Clement XII in 1733.

Next came a short but inaccurate account of the disputes which followed the death of Warden Kirwan in 1791. He proved again and again what he considered to be the legality of the Tribal position. Usage, prescription and possession all favoured the Tribes. In a facile generalisation, he claimed that between 1691 and 1791, the Tribal rights had never been contested. Kirwan held the view that the Catholic officials and councillors of the legal corporation, now had the right to vote for the warden and vicars. He suggested to them that they should attempt to vote, as they had church law on their side. He treated of the reasons which led him to this view. In 1797, at the request of Fr. Creane, the Roman authorities had given a decision to that effect. Here Kirwan's account of the wardenship ended abruptly.

Despite the fact that no word had been received from the Tribes, the Congregation decided, on 13th July 1830, to send Dr. Thomas Kelly, bishop of Dromore to Galway as Visitor. On 16th July, the Brief, *Quod est vel maxime,* was issued, empowering Dr. Kelly to go to Galway to try to effect a settlement. The Cardinal, when forwarding the Brief to Dr. Kelly on 23rd August, made some suggestions. He told him to strive to secure agreement on the establishment of a diocese of Galway and if that failed, to try to have the warden elected for life and to have voting rights extended to the non-Tribes. Rome was suspicious of the independence of Galway. Boylan, writing again to Murray, on 22nd July 1830 told him that the secretary of Propaganda believed the Irish Church was Gallican.

When Dr. Ffrench got word of the appointment, he wrote to Cardinal Cappellari to express his pleasure and thanks. He stated that the abolition of the wardenship had become a necessity; he was prepared to withdraw to his dioceses even though they were not able to support him. He implored the Holy See to appoint a bishop of Galway.

On Tuesday, 28th September, having visited the archbishop of Tuam en route, Dr. Kelly of Dromore arrived in Galway accompanied by Dr. George Crolly, bishop of Down and Connor. Only Dr. Kelly had an official position. The *Journal* of 30th September, congratulated the over-whelming portion of the people of Galway upon the bright prospects of long-delayed justice. The able Visitor was coming more as a pacificator than as a conciliator. The paper felt it would be wrong to give the facts of the non-Tribe case. The bishop already had information concerning the injustices, and would be taking further sworn evidence.

Despite the above statement, the paper did, in fact, treat of the subject and comment on it. The writer posed the question as to whether the privileges were given to the Galway Families in their corporate capacity or as members of certain families possessing particular names. His answer was that the privileges were vested in the corporation and that nobody had the right to use them except members of that body as long as it had existed as a corporation under a royal charter or act of Parliament. When the corporation had lost the right, then the papal Bull should have been a dead letter as the body to whom it was directed, had become politically defunct. "We assert without fear of contradiction, that it was upon the Corporation of Galway alone, without distinction of name or family that the right was originally conferred . . . We hold that when the Catholic Corporation ceased, the right died, or *ought* to have died, it being solely addressed to the Corporation and not to any particular families."

The lay patrons, on the other hand, said that the power which deprived them of their corporate rights was a civil power and could not interfere with the spiritual privileges conferred by the Holy See. Here the writer asked to whom were the rights originally given. The lay patrons would further argue that, having lost their civil rights as a corporation, they had not the power of making freemen and of extending the franchise beyond the circle of some twelve or thirteen families. If so, how had they once conferred freedom on a man named Costello?, and if he was entitled to vote, why not Burke, Baldwin, O'Connor, O'Kelly and O'Shaughnessy?

It was an unjust monopoly. All the non-Tribes wanted was a fair investigation and discussion. They merely sought rights very similar

to those which the Tribes themselves were then seeking from the Galway legal Corporation.

The *Advertiser* of Saturday, 2nd October, would make no comment on the dispute while it was under discussion 'by the two eminent Divines'. However it did publish a letter from 'Independent Shopkeeper' addressed to the non-Tribes of Galway. He called on them to 'wake up' and do what their forefathers had done in 1731, 1791, 1812 and 1820. They should not leave it to the *Journal* alone to fight their case. The present system was depriving them of their civil and corporate rights and was ruinous to their social peace and prosperity. It also did serious harm to the position of the priests in the community.

He then made a sharp attack on someone whom he called 'Arguropiscopus', who would seem to have been Dr. Ffrench. He would 'not give a bean for his spiritual authority' which was endangering the eternal salvation of the families of the non-Tribes. Would he have learning enough to prove the legality of his position, which as far back as 1812 had been declared illegal by the Chapter? "The ground was entirely cut from beneath your feet — allow me to tell you, Arguropiscopus, that the compliments of your polite manners by a certain Lady will be of little use to you in the evil day".

The *Advertiser* later expressed its regret at having published this letter and added that the matter should have been spoken of with greater prudence since it was *sub judice.* The same paper carried an announcement that Valentine Blake would give a lecture in defence of the Tribal rights on the following Sunday. This lecture, however, does not seem to have taken place.

The *Journal* of 4th October, said it would not presume to pass judgement on the case but nevertheless, it is clear that its sympathies were with the non-Tribes. It reported that Dr. Kelly had been taking evidence since his arrival. Without presuming to prejudge, the writer felt that justice would be done by the Holy See and the situation whereby 12 (sic) families in a population of 50,000 had exclusive power to elect the local clergy, would be changed. The Tribes, he said, were the very people who were loudest in their denunciations of the inequalities of the present legal corporation. He quoted:

"How happy could I be with either
Were the other dear charmer away;
But when you both teaze (sic) me together
To neither a word will I say."

Dr. Kelly hoped to have his investigation ended by Sunday, 10th October. Had the matter been settled by then, the two visiting bishops had planned to appeal on Sunday for peace and unity. The settlement was not, however, completed as soon as they had hoped, probably because of the large number of witnesses to be interrogated, singly and under oath. The two visiting prelates questioned first the vicars and then the other priests, regular and secular, thirty-four in all. The Tribe and non-Tribe leaders were similarly examined and, according to Dr. Kelly, all favoured the erection of an independent diocese. The bishop of Dromore wrote personal letters to all the Tribes, inviting them to meet him on Sunday, 10th October; the Catholic mayor, Mr. P. M. Lynch, did likewise.

On Saturday, 9th October, the chapter, including Dr. Ffrench, met. For some unknown reason, Dr. Joseph Kirwan, vicar, refused to attend the meeting but he did sign the petition. As a result of their discussions, they signed a petition to the Holy See, imploring that a separate diocese of Galway be erected and that it not be united with any other diocese. They asked for a good bishop – a stranger – to be chosen by the two visiting prelates and the western bishops. On the same day, the secular and regular clergy made a similar request – that an independent diocese of Galway be established. It was signed by: P. J. O'Kean, P.P., Moycullen; Thomas Loftus, P.P., Spiddal; Matthew Joyce, C.C., Galway; P. Fahy, C.C., Galway; Francis R. Coughlin, C.C., Bohermore; George Ussher, C.C., Rahoon; John Morgan, C.C.; F. P. Geraghty, C.C., Bohermore; T. Gill, C.C., Claregalway; Malachy Mannin, P.P., Claregalway. The regular petition bore twelve signatures.

The Tribal meeting took place in the College House on Sunday, 10th October, under the chairmanship of the Catholic mayor, Mr. P. M. Lynch of Duras, Kinvara. The bishop of Dromore explained the position and the effect of the dispute on religion. He was followed by 'a most powerful and energetic appeal from Dr. Crolly'. Both bishops were in favour of complete change. The Tribes agreed that the privileges which they had maintained without stain for 346 years, were no longer necessary in

the changed political situation. They very willingly surrendered their rights to the pope. They were very grateful to Bishop Kelly and informed him that the antiquity, riches and sincere faith of Galway for many centuries, gave them, in their view, a strong claim to a bishop of their own and to becoming a distinct see.

This historic surrender of rights was reported next day in the *Journal,* with appropriate solemnity:

> "Immediately the respected body of the Tribes came forward, and with one accord deposited the privileges which they and their ancestors had exercised for three centuries into the hands of the Sovereign Pontiff."

On Monday, 11th October 1830, in a letter to Cardinal Cappellari, Dr. Ffrench formally resigned his position as warden and surrendered all his rights in Galway. This he did for peace sake, despite the poverty of his dioceses:

> "I cannot bid farewell to this Church over which I have ruled for eighteen years and with which I am united by so many ties, without imploring Your Eminence to send a Bishop to Galway as soon as possible, lest any occasion arise for the lay patrons to exercise their rights."

In order to avoid any such happening, he proposed that he rule the area as vicar-capitular until a bishop be provided.

The *Journal* of Monday, 11th October, announcing the news, expressed its pleasure at the outcome. During the previous thirty years, there had been trouble at every election; in future, the laity would not interfere with ecclesiastical government. The arrangements agreed upon were of a most satisfactory and conciliatory nature and gave universal satisfaction. The Tribes, so far, the paper noted, had acted most honourably; their agreement was unconditional. All was now harmony, joy and peace. Galway would become an independent diocese. The writer felt confident that the inhabitants would make ample provision for the bishop-to-be; even though the district was limited, the spirit of the inhabitants was unbounded. "The settlement of the question gives us the most sincere and perfect satisfaction."

On Wednesday, 13th October, before leaving Galway, Dr. Kelly forwarded a report of his visitation to the Roman authorities. He informed them that peace and concord had been achieved and all that was now required was the confirmation of the Propaganda. "Let Rome speak, and the case will shortly be closed." Every breach had been healed and the warden and vicars had returned to friendship; "having embraced, they returned to the peace of Christ, not without tears, as a sign of their joy." The greatest praise was due to Dr. Ffrench, the most humble of men, whose only desire was peace. He had not alone given hospitality to Dr. Crolly and to himself but he had also been of the greatest assistance in every difficulty. He then described the process of examination, culminating in the great Tribal meeting of the previous Sunday. Most of the Tribes were there except for some who were prevented by distance from travelling. They had acted with the greatest restraint during the visitation. All parties had agreed *una voce* that a diocese be established. He enclosed petitions to this effect from Dr. Ffrench, the chapter, the secular clergy, the regular clergy, the Tribes and the non-Tribes. He concluded by informing the Propaganda that he would call on the archbishop of Tuam with the good news on the way home.

As Dr. Kelly did not have the desired opportunity of addressing the people, he asked them through the public press "to avoid anything like triumphal boasting or angry discussion pending the final determination of the Court of Rome". He had also asked the press not to publish a detailed report of the Tribal meeting or letters concerning the controversy.

There were now some fences to be mended. The *Journal* apologised to the Tribes, stating that when they had attacked the exclusive rights of the electors, they might unintentionally have caused offence. That was not their intention. "We felt it a duty which we owed to public justice – our own consistency – to pull down the spirit of monopoly wherever it was to be discovered. The consequence has been as propitious and satisfactory as we could have wished . . . The Mac's and the O's can strut and swagger through the street of Galway."

The writer praised the generosity of the lay patrons and the disinterested anxiety for the good of religion shown by the clergy in recommending to the Holy See the appointment of a stranger as first bishop. Especially worthy of thanks was the archbishop of Tuam, through

whose representations in Rome, the present settlement had been brought about.

The archbishop of Tuam also reported the good news to Rome, on 15th October, and placed himself at the disposal of Cardinal Cappellari and his Congregation. When the bishop of Dromore reached home, he sent a further report to the Propaganda. He explained that there were 70,000 people in the Galway district and 35,000 in the town. There were only 600 non-Catholics. The income from foundation Masses was £100 per annum. Of the 248 patrons, 90 lived in Galway or its vicinity. The non-residents cared little for their voting rights and came only when invited. The Propaganda had made a decree in 1797 extending the franchise, which if implemented, might have led to a schism.

Dr. Kelly then gave a long and colourful account of the many abuses in the wardenship elections. For example, one industrious woman, he claimed, could secure the election of a candidate. The result was that religion suffered, many did not fulfil their Easter duty and there had been no Confirmation for years. Dr. Kelly said he was opposed to the proposal that the warden be elected for life; this would leave the root of the trouble untouched. If the privileges were extended to the non-Tribes, did that mean to the whole 35,000 of them? He advised against union with Kilmacduagh and Kilfenora as neither the vicars nor the laity wanted this solution. A separate diocese, he would recommend, and he felt sure there was no need for concern about the bishop's income.

Apart from the free oblations of the faithful, he would have £200 per annum. If given Rahoon, now held by Ffrench, as a mensal parish, he would have a further £300 per annum. (It is not clear if Rome finally helped Dr. Ffrench to remove Fr. Lowther from Rahoon. He may have resigned because of old age. He died on 11th October 1839, aged 93, after being a parish priest for sixty years.) When the diocese would be established, Dr. Ffrench could be appointed vicar-capitular; the present chapter should be dissolved but each vicar should be confirmed in his own parish. He warned the Propaganda against establishing a new diocesan chapter, because the members might try to exert too much power. Better leave the matter to the discretion of the new bishop. The foundation Masses should be divided *pro rata.* In any settlement, the archbishop of Tuam had expressed his willingness to be of help. This help should be availed of, as it was urgently necessary that immediate action be taken

in order to have matters settled before the next election of August 1831.

Dr. Kelly asked that the willing resignation by the Tribes of their rights be specifically praised in the Bull erecting the diocese. Finally he concurred with the suggestion that an outsider be appointed, and that he himself with Crolly and the western bishops suggest suitable persons from whom the new bishop would be chosen. Dr. Crolly enclosed a note expressing his agreement with all that the bishop of Dromore had said.

It was accepted by now in Galway that a diocese would be established. The big question was who would be the first bishop. The *Journal* of 21st October 1830, published a report that the first bishop would be Dr. John MacHale, coadjutor to the aged bishop of Killala, Dr. Waldron. "We do not pledge ourselves to the truth of this report; but we believe that we only echo the sentiments of the general public when we declare that the Irish Episcopal bench does not possess a brighter ornament of the Church than his Lordship."

A curious intervention was made at this stage by Mr. J. R. Joyce, secretary of the Tribes. He wrote to Cardinal Cappellari on 4th November, and having explained what had taken place at the recent visitation, said he was distressed to have to report that not all the pledges then given were being honoured. He alleged that a petition was being organised privately by individuals of the Galway families, the object of which he was not sure, but he imagined that it was to have Dr. Ffrench appointed to the new bishopric. If his belief was right, he had no doubt but that Dr. Ffrench was behind the move, despite the pledges so recently given. This letter would seem to have been ignored.

On 13th November, Cardinal Cappellari acknowledged the receipt of the letters of Bishops Kelly and Crolly and informed them that the case would shortly be discussed by the Congregation. It was discussed on 28th November, when Cardinal Cappellari placed the following questions before the meeting:

1. Should they accept the Galway resignations and establish a diocese?
2. Should the lay patrons be praised by the pope in the Bull of establishment?

3. Should they refrain from establishing a Galway chapter?
4. Should the new bishop be given as a mensal parish, Rahoon, now held by Dr. Ffrench?
5. Should the nomination be left to those proposed by Bishop Kelly?

All the suggestions were answered in the affirmative. It was agreed that Galway be made a separate diocese and this proposal was given papal approval by Cardinal Cappellari himself, to whom the pope had delegated authority.

The decision about the wardenship must have been a foregone conclusion in Rome itself. On 3rd December 1830, the *Journal* published a report from an "Irish Clergyman in that city" (Fr. Michael O'Fay?) that the Galway divisions would soon be ended. Dr. Kelly's recommendations arrived and had been found satisfactory in all parts, it reported.

When all seemed set for a speedy end to the whole case, there was a further hold-up. On 1st December, the pope died and the decision was not executed as quickly as had been hoped.

CHAPTER EIGHT

THE DIOCESE OF GALWAY (1831)

Cardinal Cappellari, who was by now very familiar with Galway's problems, was determined not to allow the pope's death to delay unduly the Congregation's decision regarding the area. He pressed ahead with the other necessary preliminaries surrounding the appointment of a bishop, so that there would be no unnecessary delay after the papal election.

On 4th December, the cardinal wrote to the archbishop of Tuam and to the bishops of Dromore and Down and Connor, informing them of the decision taken. He expressed particular gratitude to the archbishop of Tuam, and informed him that the sickness and death of the pope had caused a delay. As soon as a new pope was chosen, the document erecting the diocese would be issued. With regard to the nomination of the first bishop of Galway, the law on 1st June 1829 for Ireland would be suspended for this occasion; as recommended, the archbishop, Crolly, Kelly and the western bishops should propose names. Cappellari sent similar information and instruction to the bishop of Dromore, with the added request that he inform the interested parties.

The news of the decision reached Newry on Christmas day. On the following day, Dr. Kelly sent a copy of the letter from Cappellari, to Dr. Ffrench. He would show him the original in Dublin on 19th January and congratulated him "on the consummation of what had been effected chiefly by your disinterested zeal". He added that he was informing the archbishop of Tuam, and the laity and clergy of Galway.

The archbishop of Tuam had, however, been informed officially by letter of 4th December from Rome, which letter arrived late on Christmas day. On 28th December he wrote to Dr. Ffrench inviting him to come to

Tuam on Wednesday, 12th January 1831, for the purpose of nominating three candidates for the new bishopric.

The northern bishops replied to Rome on 28th December. They once again expressed their pleasure at being of service to the Holy See and expressed their satisfaction with the prompt manner in which the business was being executed by the Propaganda. On receipt of word from Rome, they had informed the archbishop of Tuam, Dr. Ffrench, Mr. John Richard Joyce and Mr. John Kelly of the Roman decision to establish a diocese. They concluded by expressing their sorrow on hearing of the death of Pope Pius VIII.

The meeting to nominate candidates for the new diocese took place, as planned, in Tuam on 12th January 1831. All the bishops invited were present except Dr. Waldron of Killala and Dr. Costello of Clonfert, both absent because of advanced age and infirmity. The meeting tried unsuccessfully to persuade Dr. John MacHale, coadjutor of Killala and Dr. Thomas Coen, coadjutor of Clonfert to accept the post. They then recommended:

1. Nicholas Foran, P.P., Dungarvan (Waterford and Lismore).

2. Philip Dooley, dean, Maynooth College (do.)

3. George Browne, Adm., St. Peter's, Athlone (Elphin).

The nominations were signed by the archbishop, the two northern prelates and Bishops MacHale, Coen, McNicholas, (Achonry), Burke (Elphin), Ffrench (Kilmacduagh and Kilfenora).

On 16th January, Archbishop Kelly forwarded the nominations to Rome. He expressed his regrets on the death of the pope, who was a friend of Ireland and had been very kind to himself when he visited Rome in 1829. The archbishop paid a warm tribute to his confreres, especially Dr. Ffrench.

> "I must say that I have never met a group more eager for the glory of God or more neglectful of their own convenience than the bishops, in particular, the Most Rev. Edmund Ffrench to whom great praise is due because in all this affair he showed himself ever

ready and always eager to do at once what the Sacred Congregation ordained."

Cardinal Cappellari was himself elected pope on 2nd February 1831, taking the name Gregory XVI. His intimate knowledge of the affairs of Galway and his keen interest in Ireland, seem to have led him to take a personal interest in bringing about a quick solution. Perhaps his knowledge of and interest in Galway increased his well-known and sympathetic interest in Irish affairs. Cardinal Cullen later said that the new pope had a great affection for Ireland and that he had received all who went to see him with the greatest kindness. Cullen added that the previous pope was of a different disposition and was always expressing fears and doubts about the Irish Church.

John MacHale when he was coadjutor bishop in Killala had an audience with Pope Gregory XVI in 1832 but, MacHale said, he did not enquire about Killala. Rather did he comment on Galway which "gave him more trouble than all Ireland put together while it was under the spiritual direction of a warden". Not only, said the pope, had the clergy a voice in ecclesiastical elections, but the lay gentlemen and even the ladies had a say. Various families had their favourite candidates which led to trouble for him as the Cardinal Prefect of Propaganda.

It does not seem that the people of Galway knew the names of those recommended by the Tuam gathering. On 7th February, the *Journal,* quoting the *Dublin Evening Post,* reported that it was believed the new bishop of Galway would be a certain Rev. Dr. Burke. This name never came before the Propaganda; the recommendations of the Tuam meeting were closely followed by the Roman authorities.

The name of Dr. Foran, the first choice of the bishops, was well known in Rome. He had been the centre but by no means the cause of two serious disputes in his parish of Dungarvan, one involving the Augustinian fathers and the other concerning a former parish priest of Dungarvan, Fr. O'Meagher. The disputes in both cases were taken to the Propaganda for solution and both gave rise to a long and voluminous correspondence. In the effort to solve both cases, Dr. Foran had shown himself to be a man of tact and ability in difficult situations. This may have been one reason why his candidature was being favoured.

Nor was this the first time that his name had come before the Propaganda, as worthy of episcopal office. When Bishop Patrick Kelly of Waterford and Lismore, died on 8th October 1829, Nicholas Foran was elected vicar-capitular on 11th November and also headed the *terna* submitted to Rome by the clergy for the vacant see.

The possibility of Dr. Foran's appointment did not meet with the approval of the British Government. On 10th November, Lord Burgesh wrote from Bologna to the Cardinal Secretary of State, Albani, informing him that he had been instructed by the Duke of Wellington to state that his Government did not look with favour on the promotion of Dr. Foran. The Government was suggesting the name of Dr. Weld, coadjutor bishop of Kingston, Canada, then on his way to Rome.

On 17th November, Cardinal Albani wrote to Cardinal Cappellari that it was the wish of the Holy Father that the appointment be postponed until the arrival of Bishop Weld in Rome. The Cardinal Prefect, replying on 5th December 1829, protested against the British Government's interference in this affair in contravention of the Emancipation Act; also the appointment of Bishop Weld would be a disaster for Ireland. Since the rector of the Irish College in Rome had urged the need for a quick appointment because of an oncoming Waterford election, a compromise was effected by the appointment of neither Doctors Weld or Foran. William Abraham, the second of the *terna,* became bishop of Waterford on 22nd December and on 25th May 1830, Bishop Weld was created a cardinal *in curia.* The nomination of Dr. Foran to Galway was partly the result of this incident. His choice was seen as a deliberate declaration of the independence of the Church from state interference, a not inappropriate ending to the wardenship of Galway.

In the recommendation of the Tuam meeting, Dr. Foran was highly praised. Aged 45, he had had a distinguished academic career in Maynooth and had done pastoral work in his own diocese for twenty years. He was noted among the laity and clergy for learning, piety and prudence and had been vicar-capitular of Waterford. He had been the *dignissimus* choice of his own fellow-diocesans, when the see of Waterford and Lismore was vacant.

Fr. Philip Dooley, aged 40, had a good academic record at Maynooth where for fourteen years now, he had held the position of dean.

Fr. George Browne was aged 36, was ordained at Maynooth and for thirteen years had been a zealous pastor of souls.

On 8th March Dr. Boylan wrote to Archbishop Murray that Galway would have a bishop on that day. Boylan complained that he had received no instructions from Dr. Ffrench or anybody else since the visit of the bishop of Dromore to Galway. He feared that Dr. Ffrench would be displeased if he were not appointed to Galway or perhaps he might be pleased to retire altogether to Kilmacduagh and Kilfenora, poor and all as they were. Boylan said that his information was that Dr. Foran of Waterford would be appointed. But he wondered would Foran accept the dignity. The income of Dr. Ffrench would be slender he concluded.

Writing again to Cullen a week later, Boylan said there was such a volume of business that the pope did not have time to deal with the matter of Galway. All the indications were that Dr. Foran would be appointed, he added.

The question of the appointment of a bishop was discussed at a plenary session of the Propaganda of 8th March 1831, presided over by Cardinal Mario Pedicini, the new prefect. It was recalled that a decision had been taken on the previous 29th November to establish a separate diocese of Galway. The qualifications of the nominated candidates were discussed and it was noted that the British Government had, on a previous occasion, expressed disapproval of the promotion of Foran. It was decided however, that this would be ignored; the Irish bishops knew best what suited the local conditions and, in any case, Government opposition must be resisted. The meeting therefore decided that Nicholas Foran would be the first bishop of Galway. At no stage was the candidate himself consulted and this gave rise to unexpected trouble.

The news of the appointment of Dr. Foran appeared in the *Journal* of 14th April 1831, having been received from a distinguished ecclesiastic, then holding a high station in the Irish College, Rome. The paper expressed warm approval of the choice of Dr. Foran, whose appointment was welcomed by the clergy, many of whom knew him. The prelates who nominated him were to be congratulated, and Dr. Ffrench in particular, deserved thanks for his disinterestedness.

On 27th April 1831, the brief, *Sedium Episcopalium* was issued from

the basilica of St. Mary Major, erecting the new diocese. Having recited in short the history of the wardenship, the document noted the acceptance of the resignation by the warden of Galway of his rights and by the Tribes of theirs. It decreed that:

1. the vicars would retain possession of their parishes.
2. the collegiate church would become the cathedral.
3. the archbishop would lose his rights in the wardenship and assume those of metropolitan.
4. the future bishop could have a chapter, should he see fit.
5. Dr. Ffrench, having resigned his mensal parish of Rahoon, would, in compensation, retain for life one third of its income. Rahoon would then be a mensal parish of the bishop of Galway.

The brief was sent on 14th May by Cardinal Pedicini to the archbishop of Tuam for execution. He also sent a copy to Dr. Ffrench in order that he would be informed of how the pope was making provision for his upkeep. He stated that Nicholas Foran was to be the new bishop and on that day letters of appointment in the form of a brief were being sent to him. The cardinal thanked Dr. Ffrench for facilitating this settlement by his freely resigning his office as warden and retiring to his own dioceses. A copy of the foundation document was also sent to the bishop of Dromore.

The letters of appointment reached Dr. Foran on 5th June. He was gratified that Rome should consider him for appointment but firmly stated in a letter next day to the archbishop of Tuam that his unalterable decision was to decline the proferred office. He had given the matter serious and prayerful consideration, had sought advice and endeavoured to divest himself of all human considerations. In declining he was obeying his conscience. He regretted the inconvenience his refusal would cause and said that had he been informed at an earlier stage, he would have refused to allow the matter to go further.

About the same time, the document erecting the diocese of Galway reached the archbishop of Tuam. On 9th June, he went to Galway and before the assembled secular and regular clergy, he read the decree suppressing the wardenship and erecting the diocese of Galway. The news was warmly welcomed. On the archbishop's return to Tuam, he found Dr. Foran's renunciation awaiting him. In the hope that he might be

able to persuade him to change his decision, the archbishop went to Waterford, but in vain. The matter was not, however, closed; Dr. Foran promised to attend the bishops' meeting at Maynooth on 27th June when the matter would be again considered.

The *Journal* reported the rumoured refusal by Dr. Foran, on 13th June. The paper had been informed that the papers nominating Dr. Foran, as bishop of Galway, had arrived – "a distinction which, we learn, this amiable and learned Divine declines to accept." But should the rumour be without foundation, no one would be more pleased than the writer. Dr. Foran was an exemplary clergyman, an amiable man, a clever Divine and an admirable Irishman. "If proof were wanted in corroboration of our opinion of Dr. Foran's capacity to wield the crozier, it is at hand. He is loved by his flock and hated by the Beresfords."

Dr. Foran must have changed his mind about attending the bishops' meeting at Maynooth on 27th June. On the evening of 26th June, he was travelling with his curate, Fr. Fogarty from Ring to Dungarvan on a gig when his horse (a borrowed one) took fright and both clergymen were dashed with violence to the ground, from which they were shortly afterwards removed in an insensible state. Dr. Foran's life was despaired of and Fr. Fogarty was expected to recover. This fact was reported in the *Journal* of 7th July, which also carried the rumour that the Rev. Mr. Dooley, senior dean at Maynooth College was expected to become the bishop of Galway.

The archbishop of Tuam must now have given up hope of persuading Dr. Foran to accept the nomination. He informed Cardinal Pedicini on 5th July that Dr. Foran had not attended the bishops' meeting but had sent a letter with news of his accident. The archbishop once more assembled the western bishops with Doctors Kelly and Crolly and they petitioned Rome to appoint Fr. George Browne and to do so as quickly as possible.

The appointment of Dr. Foran has not been mentioned by most writers of this period. One writer states that Dr. Foran was appointed but fell ill and did not recover. This, he claims, led to the appointment of Dr. Browne. Dr. Foran did, in fact, recover, becoming bishop of Waterford and Lismore on 23rd May 1837 and ruling until his death on 11th May 1855. The records of 1831 are curiously silent about the real reason for

his refusing to accept the see of Galway.

When the bishops of Munster were recommending his name to Rome for the episcopate in 1837, they remarked that he had been chosen for the see of Galway but "since grave disorders agitated that Church, he consistently refused, explaining that as a stranger to the diocese and province, he would not have been easily able to end the disputes and reconcile the parties; it would be more easily done by a person having experimental knowledge of that clergy."

The refusal of Dr. Foran led to further rumours. The *Advertiser* and *Independent* both reported on 6th July 1831, the possibility that the wardenship might now be united with Kilmacduagh and Kilfenora. The *Independent* remarked that should this happen, it would have the happy result of leaving Dr. Ffrench in their midst. Bishop William Higgins of Ardagh wrote to Cardinal Pedicini on 20th July, warmly supporting the candidature of George Browne. He would be an excellent choice and would be most acceptable in Galway as his was a Tribal name.

Father George Browne was in fact appointed. There is no record of a decision being made at any general session of the Propaganda. In fact, the Congregation records make no mention at all of his appointment. This would suggest that, perhaps, the pope with his long association with the Galway problem and with his knowledge of the previous delays took the matter into his own hands and transacted the business outside the normal channels.

Galway first heard the news in an *Independent* report of 1st October 1831 when it informed its readers that the archbishop of Tuam had notified Fr. George Browne, Athlone, of his appointment as bishop of Galway. The consecration would take place in Athlone. The *Journal,* however, of 3rd October, was unable to ascertain whether the ceremony would take place in Dublin or Athlone. The writer while expressing regret at the departure of Dr. Ffrench, said that the appointment of Dr. Browne was a matter for congratulation.

Dr. Browne seems to have appreciated the delicacy of his position, as he appointed Fr. Laurence O'Donnell, a friend of Dr. Ffrench, to the key post of vicar-general. He honoured Fr. Peter Daly by inviting him to preach at his consecration, which took place in Athlone on 23rd Oc-

tober. Archbishop Kelly performed the ceremony, assisted by Bishops Burke of Elphin and McNicholas of Achonry. Present also were Bishops Coen, Clonfert, Higgins, Ardagh, Cantwell, Meath and Ffrench, Kilmacduagh and Kilfenora. Master of Ceremonies was a Father Woods of the Metropolitan Chapel, Dublin. Also present were Dr. Crotty, president, Maynooth College, and Dr. Esmonde of Clongowes College, and Dr. Whitehead, also of Maynooth. Fr. Daly preached to the text from *Acts of the Apostles:*

> "They cast lots and the lot fell upon Mathias and
> he was numbered among the eleven."

Later the people of Athlone presented Dr. Browne with a carriage and horses.

There was one dying echo of the controversies as the wardenship came to an end and it was appropriate that Fr. Peter Daly should be involved. On the day after the consecration of the new bishop, a certain William McDermott made a scathing attack on Daly in the *Journal,* accusing him of inconsistency – "he is well versed in all the 'twists' necessary for a thorough knowledge of 'Mock Patriotism'." It is not clear what McDermott meant but it stung Fr. Daly into a sharp reply when he, in turn, accused Mr. McDermott of inconsistency and misrepresentation.

On Saturday night, 5th November 1831 the new bishop arrived in Galway. His coming was heralded by the ringing of the bells of old Saint Nicholas's collegiate church. On Sunday, Bishop Browne presided at Mass celebrated by Fr. Mark Finn, P.P. Dr. Ffrench introduced the new bishop and Fr. Daly "preached the occasional sermon with diamond eloquence." After Mass, Dr. Browne gave Pontifical Benediction and addressed the people. Quoting from St. Paul to the Colossians, he appealed to all to observe charity and end bitterness. He spoke fearfully of his own duties and asked for co-operation, docility and obedience until "there was scarcely a tearless eye in the chapel."

The secular clergy entertained eighty people to dinner at the College House that evening. Fr. Peter Daly presided and Fr. Andrew Martin "filled the Vice-Chair. Wines of the very best description were handed about in cheering profusion . . . . Protestants and Catholics joined heart and hand to bid him a Chead Mille Faltha (sic)". Mr. Valentine Blake,

proposing the toast of Dr. Browne, said that the local revolution was painful because it was taking from them a prelate who had endeared himself to many and who was a distinguished ornament of the Church and who would carry with him the love and affection of a people in whose feelings he had always participated. "I am convinced that the exchange was necessary for the interests and religion of the people of Galway; and it is the manifest imperfection of the old system of selecting the clergy and not the individuals selected and which now compose that body, that has rendered the exchange desirable and has made it honourable to those who have so handsomely relinquished the power of nomination."

Dr. Ffrench replying to his toast thanked those with whom he had worked for twenty-one years. He would be severed from them in authority but tied with them in love. He ended by saying that now they dismissed their servant in peace for his eyes had been the glory of the Church of Galway.

Many other toasts were drunk before the company retired at mid-night.

After the ceremonies were over, Dr. Ffrench sent a report to Cardinal Pedicini. The disputes, he said, had ended with the appointment of Dr. Browne, at whose consecration he was present in Athlone on 23rd October, and subsequently, at his enthronement in Galway. In the presence of the metropolitan and suffragans, he had renounced his right to a pension in Rahoon in favour of the new bishop whose income would otherwise be inadequate. He asked that he be granted Ennistymon, now vacant, as a mensal parish in addition to the two other small mensal parishes in his possession. He would appoint good administrators. This request, it seems, was granted.

In 1832, a group of prominent Galway citizens, Protestant and Catholic, made a presentation to Dr. Ffrench of a gold snuff-box with an address:

> "Presented by the inhabitants of Galway to the Right Reverend Doctor Ffrench, the last Catholic Warden of Galway as a small testimony of unfeigned regret for the loss of his society, their admiration of his virtues and the sincere good wishes for his future welfare and happiness."

On the occasion of the presentation, 5th September 1832, Dr. Ffrench said:

> "I knew well that I might have retained my place and that I would be continued in office by the authority and affections of the people; yet I constantly and earnestly prayed His Holiness to appoint his delegates to come and examine the case on the spot."

Dr. Ffrench ruled his diocese until his death on 14th July 1852. He was buried in Kilmacduagh cemetery, in the grave traditionally regarded as that of St. Colman. Presiding at the obsequies, in true Christian charity, was his old antagonist, Fr. B. J. Roche, now vicar-general of the diocese of Galway. More than 50 clergymen chanted the responses and a panegyric "was preached in the Irish tongue by the archbishop of Tuam (John MacHale) with all his Grace's accustomed eloquence and pathos". His tombstone fittingly reminds us that he was the last person to hold the historic office of warden of Galway, and another inscription tells how, according to tradition, St. Colman is also buried there:

OR. PRO ANIMA
EDM. FRENCH
ULT GUARD ECC COLLAE.
GALVS AC EPI DUAC
ET FENAB. CUJUS CINERES
HIS JACENT
OB. 14 JULII 1852
R.I.P.

EX ANTIQUIS PIE
TRADITUR SEPULCHRUM
STI COLMANI DUACI
EPI ET PATRONI DIAECS
DUACS HIC FUISSE
CONDITUM CUJUS
ANIMA IN COELUM
MIGRAVIT
A.D. 630

(Pray for the soul of Edmund French (sic) last warden of the collegiate church of Galway and bishop of Kilmacduagh and Kilfenora, whose remains lie here. He died 14th July 1852. R.I.P."

"From antiquity it is believed that here was the tomb of St. Colman of Kilmacduagh, bishop and patron of the diocese, whose soul went to heaven in 630 A.D.")

Dr. George Browne ruled his new diocese until 8th February 1844 when he was transferred to his native diocese of Elphin. Archbishop John MacHale had opposed this transfer lest further trouble arise in

Galway diocese "of which Dr. Browne might be called the founder and to whose conciliatory manner, wisdom and ability the present pacific and flourishing state of the above-mentioned diocese is due." Fr. Laurence O'Donnell was his reluctant successor, appointed against the advice of Dr. Ffrench, who thought that Dr. Joseph Kirwan would be more acceptable to the regulars.

When Dr. Ffrench died in 1852, the question of uniting the three dioceses arose once more. Archbishop Cullen of Dublin wrote to Rome on 28th October 1852 that he had always understood that union would be effected on the death of Ffrench and that this eventuality had been mentioned in Dr. Foran's brief of appointment. Some such arrangement might now be brought about; the archbishop of Cashel was in agreement with this suggestion. No such documentary evidence could be found in the propaganda archives in connection with Foran's appointment. There was a feeling among certain members of the Irish hierarchy that the bishop of Galway's jurisdiction should not be extended because he favoured the Queen's colleges. The outcome was that Patrick Fallon, P.P., Lisdoonvarna, was appointed to Kilmacduagh and Kilfenora on 29th November 1852, with the reservation, however, that diocesan boundaries might be changed in the future.

Bishop Laurence O'Donnell of Galway died on 23rd June 1855 and once more the question arose of uniting his diocese with Kilmacduagh and Kilfenora. Archbishop Cullen favoured this course as did Dr. Fallon. Cullen also suggested that Cong might be added to Galway since it had never been legally united with Tuam. The archbishop of Cashel also favoured uniting the three areas and stated that Dr. Fallon was prepared to change to Galway; the Munster bishops favoured this arrangement. Dr. MacHale, however, opposed any change and he had the support of Fr. B. J. Roche, V.G., Galway, himself a candidate for the vacant see.

The long drawn-out debate on the proposed union continued into the new year, with opposition to the proposal increasing in Galway. On 9th January 1856, sixteen secular and nine religious order priests protested to Rome against any alteration of the jurisdictions.

Dr. Michael O'Fay, now parish priest of Craughwell, diocese of Kilmacduagh, informed Archbishop Cullen that when he was in Rome in 1824, it was decided to unite Galway with Kilmacduagh and Kilfenora.

His advice had been sought on that occasion. To encourage the Propaganda to unite the jurisdictions, Cullen forwarded this letter to the cardinal prefect.

It was at this juncture that the Tribes made their last organised intervention in the ecclesiastical affairs of Galway. Michael Morris of 31, Temple Street, Dublin, seems to have been the organiser of a memorial to the Holy See, protesting against the proposed union. It stated that the Galway Tribes had been given their privileges in 1484 and that until the foundation of the diocese of Galway, they had preserved them in spite of religious persecution. Because of the fact that other families had risen to distinction and position, the memorial explained, the Holy Father sent Bishops Kelly and Crolly to investigate the situation. At a meeting in the College House, Galway, in September (sic) 1830, the bishops stated that they would not deprive the Tribes of their voting rights, except with their full assent and concurrence. This surrender was made and it earned the great praise of the two visiting bishops. On that occasion, they were assured that the Holy See would be informed that this agreement was made on condition that "Galway should be constituted a distinct diocese and should ever so continue." They understood that the Holy See had agreed to this condition. The memorial concluded:

> "that your memorialists most respectfully supplicate that no change may be made in said arrangement, and that the diocese of Galway may not be annexed to any other diocese; and its distinct individuality may be preserved as an independent See."

Within a week, this memorial was signed by 80 members of the Tribal families, of whom twenty were magistrates. As Morris found it difficult to contact all the Tribes, he had the memorial published in the *Galway Vindicator* of 16th August 1856, requesting other Tribesmen who wished to sign it, to communicate with him. This protest, in French, was forwarded to the Propaganda and given consideration at a plenary session. Whether the protests from Galway, or the news that Dr. Fallon's health was not good, was the cause, is not known, but this time again, no change was made. On 24th December 1856 Dr. John MacEvilly was appointed bishop of Galway.

Not until 1866 was anything further done. Bishop Fallon of Kilmacduagh and Kilfenora resigned and Dr. MacEvilly was appointed apostolic

administrator of the two dioceses. He remained bishop of Galway and also, in the declining years of Archbishop John MacHale, became his coadjutor. When MacEvilly succeeded to the see of Tuam in 1881, the circumstances were favourable for permanently uniting the three jurisdictions. By a constitution of Pope Leo XIII of 5th June 1883, Galway and Kilmacduagh were permanently united and Kilfenora, being in the Munster province, was perpetually assigned to the care of the bishop of the united dioceses.

The wardenship of Galway was by then but a historic memory but Archbishop MacEvilly believed that its effects were still in evidence. Dr. MacEvilly, in a letter to Dr. Kirby, rector of the Irish College, Rome on 7th April 1858, gave as his opinion that the peculiarly democratic history of the wardenship was partly the cause of Fr. Peter Daly's opposition to him. MacEvilly said the bishop and authorities were as much ruled as they themselves were ruling. That and many other local and peculiar circumstances had compelled him to proceed slowly and quietly. Writing to Rome on 11th February 1887, he explained that ruling Galway was a difficult task. The abnormal situation whereby the laity had power over the warden and vicars, gave rise to a desire to dominate the clergy, a desire still in evidence. "Thus the people wish to rule the Bishop rather than be ruled, as I know from long experience."

The birth of the diocese of Galway, Kilmacduagh and Kilfenora was slow and painful. Yet old and bitter memories and the influence of unfortunate traditions, faded in a remarkably short time, following the union of the three jurisdictions. Today, the wardenship of Galway is a historical curiosity which survives with Kilmacduagh and Kilfenora as deanaries of the greater diocesan unity, a unity which was expressed in the building of a Cathedral of St. Nicholas and Our Lady Assumed into Heaven, dedicated in 1965.

BIOGRAPHICAL NOTES

VALENTINE BODKIN, WARDEN OF GALWAY 1745-1812

He was born in Kilclooney, parish of Milltown, Co. Galway in 1745, the youngest son of James and Joan Bodkin. He was baptised on April 21st having Edmund Bodkin and Catherine Browne as sponsors. Bodkin claimed to be a nephew of Dr. Anthony Blake, a Galway parish priest who became archbishop of Armagh in 1758.

For reasons unknown, at the age of eight years in 1752, Bodkin went to reside in Rome. Later he was admitted to the Irish College to study for the priesthood and took the usual oaths on 25th July 1764. A student of exceptional ability, he studied Theology and Canon and Civil Law with great success at the Sapienza University. He was not a model student in the Irish College and was accused of various misdemeanours including betting and trying to fraudulently get Orders. It is thought that he was ordained outside the College. He was back in Galway in 1769.

In June 1770 he was chosen as Vicar by the lay Tribal electors and became parish priest of, it seems, St. Nicholas, North (Wood Quay). In 1773 he was acting as secretary to the Warden. In 1774 he was resident in the family home at Kilclooney and was a frequent visitor to Navan where a relative was married to a Mr. Caddle. His ability was availed of by his uncle Primate Blake who was suspended on 23rd April 1775. Bodkin acted as his secretary and when the suspension was lifted read to him the decree of restoration of 31st July 1777. In 1777 also Bodkin visited Rome, possibly in connection with the Blake disputes. An important Irishman then in Rome and a friend of Bodkin was Dr. Dominick Bellew, an Armagh priest who was acting as agent to some of the Irish bishops.

When Dr. Bellew became bishop of Killala in December 1779, Valentine Bodkin went to Rome to replace him as agent of the Irish bishops. He travelled to Rome through Brussels and secured from the Nuncio there a letter of recommendation to Cardinal Antonelli.

A few days later the Nuncio wrote to Rome saying that the only reason he recommended Bodkin was to oblige Bellew. Bodkin visited Paris on his

journey. In Rome he purchased a large house and at certain times he let the main apartment to high class tenants (this was reported to the British Government).

For more than a decade he played an important role in Rome as agent of many of the Irish bishops. He did not hesitate to advise the Holy See and he frequently suggested suitable candidates for vacant Sees. There survives a considerable correspondence in his neat and elegant Latin in both the Roman and Galway Archives.

Bodkin had been actively involved in the Armagh troubles before going to Rome. He continued to speak for Blake until his death and to maintain his friendship with Dr. Bellew of Killala. Dr. Bellew told Bodkin in one letter that he hoped one day he (Bodkin) would return from Rome to be Warden of Galway. When Kilmacduagh and Kilfenora were vacant in 1783, Bodkin's name was among those from whom the ultimate choice was made. He was also mentioned for the See of Elphin: he was of noble birth, he had relatives in Parliament, his family were wealthy, £2,000 p.a., he was agent for 14 Irish bishops and he had nineteen years pastoral experience in Galway. He never did, however, become a bishop, despite the efforts of his friends.

Many and varied were the matters he dealt with in his communication with the Holy See: the appointment of bishops, the oath of allegiance, disputes of a religious nature, the provision of a seminary in Ireland, and the continuing serious problems of the Church in Galway. Despite the troubled times he remained on in Rome until 1797 and was largely successful in securing for the Galway Tribal families their traditional privileges in church elections.

Lord Castlereagh and the authorities in Dublin Castle considered Bodkin to be completely anti-revolution after his Roman experience when he fled home "almost like a refugee from the confusion of the French invasion". They were aware too that he had excellent inside information about the Irish Church as a result of his work for the bishops in Rome. In addition he had numerous well-informed international lay and ecclesiastical contacts. Consequently the Dublin authorities treated him with deference. They considered him to be very intelligent even though he had "a bit of a brogue." The Castle considered him loyal as opposed to the religious orders who were suspect. They both agreed it would be better if there

were no more bishops or parish priests from the religious orders.

Writing from Galway on 1st February 1799 to Sir J. C. Hippisley (who sent the letter to Lord Castlereagh) Bodkin claimed that the two prominent Irish Dominicans in Rome. Concanen and Connolly (both later, in turn, bishop of New York) had remained on in Rome because they were friends of the revolutionaries.

What appears to have been his ardent wish became a reality when he was elected warden of Galway in 1805. He was most anxious to establish the best relations with Edward, the difficult archbishop of Tuam. One of Bodkin's first acts on assuming power was to send a present of "an uncommonly fine salmon" to the archbishop, as a peace offering. Yet Dr. Dillon was incapable of dealing with Galway and her ecclesiastical privileges in a rational manner. The people of Galway were satisfied with their Warden, especially when he provided schools for poor girls and poor boys.

When Archbishop Dillon of Tuam died in 1809, the Tuam priests wished that Oliver Kelly would succeed. The bishops of the West hoped that Bishop Bellew of Killala would transfer to Tuam and Valentine Bodkin was their secretary, spokesman and negotiator. He died however before the dispute ended. The end came at the home of Major Bodkin, Lilliput Lodge in October 1812. His executor was his nephew, retired Major Thomas Bodkin of Shantallow Lodge (the Major died in 1824 and is buried in Claddagh Cemetery). Bodkin's place of burial is unknown.

BARTHOLOMEW BURKE

Educated in Paris, he became a chaplain to a great mercantile London family. On returning to Galway he was from 2nd October 1787 twenty-six years a vicar of the Wardenship. He wished to be buried in the ancient Abbey of Athenry but this was over-ruled by his parishioners who had him buried in the west cemetery. He is regarded as the founder of the Presentation Convent as he left £6,000 for the purpose of establishing their schools.

FATHER PETER DALY

1784-1868

Father Peter Daly was probably the best-known priest in Galway in the last century. From his ordination in 1815 to his death in 1868, he influenced the history of the town of Galway as none other did. Intelligent, hardworking and ambitious, he allowed no obstacles to hold up his schemes. Born in 1784 and educated in Maynooth, he was ordained in 1815 and he spent all his priestly life working in the town. In 1823 the lay Tribal "Corporation" chose him as vicar and he became parish priest of St. Nicholas, North with the care of 3,000 souls. He attracted much attention as a result of an encounter in Loughrea with members of a non Catholic Bible Society. Later he did not hesitate to engage in controversy the Protestant archbishop of Tuam.

He gave his warm support to Daniel O'Connell's Catholic Association in 1825. He also took part in the heated debate about the rights and privileges of the religious orders in Galway. He got involved with the religious orders in Galway concerning funeral offerings to such an extent that the archbishop of Tuam asked Rome to check him and order him to be less hostile to the Augustinians.

His great energy was recognised when he was asked to take care of the parish of Moycullen in addition to his previous parish. Moycullen needed an energetic parish priest to build a new church. In about one year he had the church built and in use. He sought subscriptions from all kinds of people both in Moycullen and outside. In July 1827 he set out for Rome to seek a subscription from the Pope. The church cost £402 and all he had collected was £224. On his way, in London, he collected money. Arriving in Rome he became friendly with two influential cardinals and before long he was introduced to the Pope. The Pope contributed about £70 to the fund and had printed 1,000 free appeal notices for the church and also for a new school in Moycullen. On his return he set about providing in Galway a suitable central residence, the College House for the town clergy. In 1828 he made an effort to win the wardenship but he was defeated by Bishop Edmund Ffrench. When Bishop Browne became first bishop of Galway, it was Fr. Daly who was chosen to preach the consecration sermon.

Before long the parish of Rahoon also was given to Daly as there was much work, especially building, to be done. For some time he was residing at Albino Lodge, on the Galway-Moycullen road. In a short time he provided new churches at Rahoon, Bushy Park and Barna. Perhaps Fr. Daly's greatest contribution to the welfare of Galway was his introduction of the Sisters of Mercy to the town in May 1846. Peter Daly was very active during the Great Hunger as he tried to provide food for the starving people. Partly as a result of this he was elected a Town Commissioner. He was involved in the running of the soup kitchens and often tried to get the people to do a little work in return for the food. He gave over Albino Lodge, his own residence, for the relief and feeding of the destitute.

For a man who was so head-strong and active it is not surprising that he had clashes with his superiors. He was continually fighting on various fronts. Even his favourites, the Sisters of Mercy, found him difficult. So great were his differences with the next bishop, Dr. O'Donnell, that the latter in a letter to Rome described him as an "untameable hyena". There were disputes with the bishop over the parish of Rahoon and over the Presentation Convent chaplaincy. When in 1848 Daly was suspended by the bishop, he set out for Rome to appeal against the punishment. The appeal was only partially successful. Home again, Archbishop MacHale intervened, brought about a settlement and the suspension was lifted. As a member of the harbour commissioners, he made great efforts to increase the number of ships coming to the port, especially those from America. In 1852 Daly himself went to Downing Street with a delegation to lobby the Prime Minister for improved facilities in Galway harbour. Returning home, he played a large part in the establishment of the Convent of Mercy in Castlebar. In local politics he became controversial especially by his abusiveness as chairman of Galway Town Council. Dr. O'Donnell asked him to give up local politics but he refused to do so.

When Dr. O'Donnell died in 1855 and when consultation took place, Daly was the number two candidate of the clergy for the vacant See but higher authority considered some of his educational views unacceptable. Some thought him too friendly with the Queen's Colleges. His eviction of eleven tenants in 1857 from land he owned, created a very bad impression. He was involved in the trans-Atlantic Shipping Company but it did not last too long – until 1864.

Behind all this extraordinary activity, there was serious tension between bishop John MacEvilly and Peter Daly. As Daly refused to change his ways, the bishop took the matter to Rome. Among other charges, he was again not paying his curates. Daly was also at loggerheads with the Harbour Commissioners, to whom he was very abusive. As he refused to submit, MacEvilly suspended him in 1862.

Daly went to Rome again to plead his case. But he got little satisfaction there. On arriving home he got a rousing reception as he had many supporters. Despite lengthy negotiations, Daly refused to submit even after he was condemned by Rome. He died, over eighty, on 30th September 1868 and was buried in Bushy Park Church. There one can see a fine bust of Fr. Peter erected by his brother Patrick, who also erected a mural tablet over the grave.

WARDEN EDMUND FFRENCH, BISHOP OF KILMACDUAGH AND KILFENORA

1775 – 1852

He was born into a Protestant family in Galway in 1775. His father, also Edmund, was both mayor of the town and Protestant warden. The father was the mayor who signed in 1761 "the manifesto of intolerance" called the "Black Petition". Edmund and his brother Charles became Catholics while still young thanks to a Catholic girl who worked in their father's house.

In 1794 Edmund was accepted as a Dominican postulant in the Claddagh priory. He took the habit in Esker monastery, Athenry, and was given the name "Martin" in religion, a name he never used. He continued his studies in Lisbon and was ordained there, it seems, in 1804. From 1806 to 1810 he served in St. Michan's, Dublin. Although a member of a religious order and therefore ineligible, he was chosen as a vicar of the Catholic wardenship by the Tribal "corporation", despite the loud protests of the secular clergy.

But Rome gave a dispensation with the result that in 1812 Ffrench was elected warden of Galway while his brother Charles became a missioner in America.

Dr. Ffrench was a quiet diplomatic leader of his community doing his best to head off disagreements with his priests and lay-people. Unfortunately owing to the weakness of his position as warden, he could not deal with internal problems in a decisive manner. He failed to put an end to the disputes between the religious orders and the secular clergy. One of his very notable contributions to education was the bringing of the Presentation nuns to Galway. Dr. Ffrench built St. Nicholas's "parish chapel" later the Pro-Cathedral which served the people of Galway well until the opening of the new Cathedral in 1965. The old church, costing over £4,000, which was completed in 1821 was an indicator of better times to come, as at the laying of the foundation stone, the Protestant mayor of Galway presided, and many Protestants attended.

With a view to ending the wardenship eventually and uniting it with

the dioceses of Kilmacduagh and Kilfenora Dr. Ffrench was appointed bishop of the two vacant dioceses while retaining the wardenship. Rome, always cautious, hesitated about uniting immediately the three areas into one diocese. The wardenship election of 1828, in fact the last wardenship election, caused much excitement as the position of Dr. Ffrench was challenged by one of his parish priests, Fr. Peter Daly. After a very noisy campaign Ffrench won but the Irish bishops and eventually Rome saw that the wardenship should be ended. To bring about a pacific settlement, Ffrench resigned his wardenship position to make room for the new diocese of Galway. He retired to his two dioceses and took up residence in Thornville, Kinvara, a pleasing small Georgian house until recently occupied by the Nally family.

Dr. Ffrench supervised the building of nine churches and he co-operated with the new national education system in providing schools. He worked to relieve the distress caused by the great hunger, even though his own health was poor. Towards the end of his life he resided at Rose Park Lodge south of Gort, near his sister Mrs. Blake-Forster. He died on 14th July 1852 in the residence of the parish priest of Kilmacduagh in Gort and he was buried in what was traditionally regarded as the grave of St. Colman in Kilmacduagh cemetery. Archbishop John MacHale of Tuam preached a moving sermon in Irish at the graveside. A fine granite cross marks the grave.

OLIVER KELLY, ARCHBISHOP OF TUAM

1777 – 1834

He was the son of a tenant farmer from Curraghmore, Toomard, Ballinasloe and he attended Lawrence Duffy's school in Peterswell. Later he studied in the Irish College, Salamanca for five years. In 1800, Archbishop Dillon established St. Jarlath's College and appointed Kelly as its first president. He was also appointed vicar-general and he became chief adviser to the ageing archbishop. In 1806 he became parish priest of Kilmeena, Co. Mayo. Kelly was the chief mediator in a dispute between Dillon and Dean Boetius Egan of Castlebar.

On the death of Archbishop Dillon, Oliver Kelly was chosen as vicar capitular but this choice was rejected by Dr. Bellew of Killala, the senior suffragan bishop. At the same time the archbishop of Armagh and Dublin strongly recommended Kelly for the vacant See. But neither could Dr. Bellew's contention be heard or a prelate for Tuam be appointed owing to the seizure of the pope by Napoleonic forces. For six years then there was a major dispute between Dr. Bellew and Oliver Kelly who had the backing of most of the Irish Church.

There was a long and bitter controversy, many meetings and much abusive language. Most of the Irish bishops were involved and there were meetings, speeches and letters over the next few years. Most people were in favour of Kelly and against Bellew. The western bishops came together three times, in Moylough and twice in Galway but they failed to bring about a settlement. There were even threats of excommunication. All the time Oliver Kelly conducted himself with great dignity. When the pope was released in 1814, he quickly took up the Tuam case and appointed Kelly as archbishop. His episcopal ordination took place on Passion Sunday, 12th March 1815.

He was an effective archbishop even if his memory is dimmed by the towering figure of his successor, John MacHale. Perhaps his greatest achievement was the building of a fine Cathedral, still in use. In his final years he suffered from poor health and he left for Italy in the hope of relief. He died at Albano outside Rome and his remains were taken back for burial in the chapel of Propaganda Fide in Rome's Piazza di Spagna.

LAURENCE O'DONNELL, SECOND BISHOP OF GALWAY

1777-1855

He was born in Oldchapel, Oughterard and entered Maynooth in 1800. After ordination he worked in the wardenship and by 1816 he was a junior vicar and parish priest of Castlegar. His residence was at the top of Brier Hill in what is now a stable of Mr. Paraic Coyne. Later he was parish priest of Saint Nicholas West (the Claddagh) and on occasions was present at hangings in the new Galway Jail. When Dr. Browne became the first bishop of Galway in 1831, he chose Fr. O'Donnell as his vicar-general.

After Dr. Browne had transferred to Elphin, Fr. O'Donnell was the first choice of the Galway priests for the vacant See. When he was appointed by the pope on 25th September 1844, he, for some months, showed the greatest reluctance in accepting. As a result his episcopal ordination did not take place until 25th September 1844. His episcopate was unspectacular. He was a kindly man and was good to the poor. It is recorded how when one of his curates, Fr. John Rooney broke down in health, the bishop took him to his own house, Fort Lorenzo, Taylor's Hill and nursed him there for some time until he died. He was eager to avoid confrontation, especially with non-Catholics. He was better disposed towards the new Queen's Colleges than were many of the bishops but he was no match for John MacHale.

In famine times he urged the Government to develop native industries especially sea-fishing. He gave evidence before the 1836 Poor Law Commission. In 1845 he had a difference with the Dominican Sisters who were anxious "to move out the country" to a new residence in Taylor's Hill. He found it hard to control the impossible Father Peter Daly whom he aptly described in a letter to Rome as an "untameable hyena". He died suddenly in Fort Lorenzo on 23rd June 1855 and was buried in the Dominican cemetery, the Claddagh.

GEORGE J. PLUNKETT BROWNE, BISHOP OF GALWAY

1795-1858

He was born in the parish of Kilmore near Carrick-on-Shannon. He entered Maynooth College in 1812 and was ordained in 1818. While yet young he was appointed administrator of the Elphin section of the town of Athlone. At the age of only 36 he was chosen to fill the new See of Galway at a time when it was disturbed due to the ending of the wardenship privileges. He was ordained bishop in his parish church in Athlone on 23rd October 1831 and took over his diocese on 5th November 1831. A man of mild disposition, Daniel O'Connell described him as "the Dove of Galway". He collected money in England to build St. Patrick's Church Galway. He also dedicated a new church in Oughterard. He encouraged schooling and helped to establish a Patrician Brothers' school in Clarenbridge. When Bishop Burke of Elphin died in 1843, Dr. Browne was the choice of the Elphin priests to fill the vacant See. Archbishop MacHale was opposed to the transfer lest there be trouble in Galway diocese "of which Dr. Browne might be called the founder and to whose conciliatory manner, wisdom and ability the present pacific and flourishing state of the diocese is due". In 1844 he was transferred to Elphin and he remained there until his death on 1st December 1858.

MALACHY O'QUEELY, ARCHBISHOP OF TUAM

He was vicar apostolic of Killala 1620-30 and archbishop of Tuam 1630-1645. He was born in Tullycrine, eight miles north of Kilrush in 1580. He studied in the Sorbonne and was awarded a doctorate in philosophy. Later he qualified as a doctor of medicine and anatomy in the University of Navarre. He was found to be very good at Irish and Latin but rather poor at English. He received episcopal ordination in Galway in a private chapel on 10th October 1630(?) at the hands of the archbishop of Tuam and the bishops of Limerick and Elphin. A good preacher, he was "corpulent and sleepy". He took part in the Confederation of Kilkenny and on one occasion, arriving late, he was checked by Bishop Rothe.

O'Queely was appointed President of Connacht with military and political jurisdiction. In 1645 he was killed in battle outside Ballisodare and was buried in Tuam town. On his remains was found a copy of the secret treaty of Glamorgan, which when published, caused great controversy. He was a resolute and determined opponent of the Galway wardenship privileges.

BARTHOLOMEW J. ROCHE, P.P., V.G., ORANMORE

He was born near Eyre Square. His brother John was also a priest who died during the Famine and is buried in Bushy Park. Bartholomew attended the schools of the Patrician Brothers. Here he came under the good influence of Bro. Paul J. O'Connor and became a member of his Aloysian Society. Later, it seems, he was educated in Rome and Paris. Ordained in 1822, he was appointed to the parish of Saint Nicholas, North and East. Here he became involved in the election of the warden in 1828. As a result, Bishop Ffrench transferred him to Rosmuc. He chose not to go but to seek employment in the archdiocese of Dublin. When the new bishop of Galway, Dr. Browne was appointed, Roche returned to take up a position in Galway. He gave evidence before the 1835 -poor law committee of enquiry. As chairman of the Galway relief committee, he worked hard to ease poverty. He felt the Board of Works relief scheme was not of much value. He was actively engaged in the building of St. Patrick's Church and in 1840 went to England to collect funds for it. When Bishop Browne transferred to Elphin, Fr. Roche was the first choice of the priests to fill the vacancy. But Dr. MacEvilly was appointed. In 1857 Roche transferred to the parish of Oranmore where he died on 18th April 1867.

WARDENS OF GALWAY

1514	John Bermingham
1520	John Cahisy
1527	William O'Donchu
1529	John O'Dermode
1549	Patrick Blake
1557	Henry Brangan
1561	Clement Skerrett
1620-1630?	James Fallon
1630-1647	Walter Lynch
1647?-1660?	Patrick Lynch
1660?-1668?	Gregory Joyce
1668?-1683?	Matthew Lynch
1683-1690	Henry Browne
1690-1707?	John Bodkin (Fitzpatrick?)
1707?-?	Patrick Skerrett Fitzmichael?
?-1726	John Bodkin (Fitzandrew?)
1726-1727	Patrick Skerrett Fitzmichael (acting)
1727-1730	Edmund Lynch
1730-1737	Patrick Bermingham
1737-1742?	Hyacinth Bodkin
1742?-1749	Mark Kirwan
1749-1756	Anthony Blake
1756-1770	Francis Kirwan
1770-1783	John Joyce
1783-1791	Augustine Kirwan
1791-1805	John Joyce Jun.
1805-1812	Valentine Bodkin
1812-1831	Edmund Ffrench

APPENDIX

WARDENSHIP ELECTIONS

1791 – 1831

	Elected	Replacing
1791	John Joyce, warden	Augustine Kirwan, warden, decd.
1791	John Kirwan	John Joyce, warden-elect
1798	Andrew Kenny	Patrick Kirwan, decd.
1799	Patrick Mooney	Nicholas Ffrench, resigned?
1805	Valentine Bodkin, warden	John Joyce, warden, decd.
1805	Dermott Noone	Valentine Bodkin, warden-elect
1808	John Lowther?	Walter Blake, decd.
1810	Edmund Ffrench	John Kirwan, decd.
1812	Edmund Ffrench, warden	Valentine Bodkin, warden, decd.
1812	Laurence O'Donnell?	Edmund Ffrench, warden-elect
1813	Michael Lynch?	Bartholomew Burke, decd.
1822	Mark Finn?	Andrew Kenny, decd.
1823	Peter Daly?	Michael Lynch, 'resigned'
1824	Andrew H. Martin	Denis Mannin, decd.
1827	Joseph W. Kirwan	Patrick Mooney, decd.

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